



LODI CITY COUNCIL

Carnegie Forum
305 West Pine Street, Lodi

AGENDA - REGULAR MEETING

Date: July 21, 2004

Time: Closed Session 5:00 p.m.
Regular Meeting 7:00 p.m.

For information regarding this Agenda please contact:

Susan J. Blackston

City Clerk

Telephone: (209) 333-6702

NOTE: All staff reports or other written documentation relating to each item of business referred to on the agenda are on file in the Office of the City Clerk and are available for public inspection. If requested, the agenda shall be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof. To make a request for disability-related modification or accommodation contact the City Clerk's Office as soon as possible and at least 24 hours prior to the meeting date.

C-1 Call to Order / Roll Call

C-2 Announcement of Closed Session

- a) Actual litigation: Government Code §54956.9(a); one case; People of the State of California; and the City of Lodi, California v. M & P Investments, et al.; United States District Court, Eastern District of California, Case No. CIV-S-00-2441 FCD JFM
- b) Actual litigation: Government Code §54956.9(a); one case; Hartford Accident and Indemnity Company, et al. v. City of Lodi, et al., Superior Court, County of San Francisco, Case No. 323658
- c) Conference with legal counsel – initiation of litigation: Government Code §54956.9(c); two cases
- d) Conference with legal counsel – anticipated litigation – significant exposure to litigation pursuant to subdivision (b) of Section 54956.9; one case; pursuant to Government Code §54956.9(b)(3)(A) facts, due to not being known to potential plaintiffs, shall not be disclosed
- e) Actual litigation: Government Code §54956.9(a); one case; City of Lodi, a California Municipal Corporation, and Lodi Financing Corporation, a California nonprofit corporation v. Lehman Brothers, Inc. and US Bank National Association, United States District Court, Eastern District of California, Case No. CIV. S-04-0606 MCE-KJM
- f) Actual litigation: Government Code §54956.9(a); one case; Lehman Brothers Inc., v. City of Lodi and Lodi Financing Corporation, United States District Court, Eastern District of California Case No. CIV-S-04-0850 FCD/JFM
- g) Actual litigation: Government Code §54956.9(a); one case; Fireman's Fund Insurance Company v. City of Lodi, et al., United States District Court, Eastern District of California Case No. CIV-S-98-1489 FCD JFM
- h) Review of Council Appointee – City Clerk (Government Code §54957)
- i) Conference with labor negotiators, Mayor Hansen and Mayor Pro Tempore Beckman, regarding unrepresented employee, City Attorney (Government Code §54957.6)

C-3 Adjourn to Closed Session

NOTE: THE FOLLOWING ITEMS WILL COMMENCE NO SOONER THAN 7:00 P.M.

C-4 Return to Open Session / Disclosure of Action

- A. Call to Order / Roll call
- B. Invocation – Reverend Michael Voytek, Providence Reformed Church
- C. Pledge of Allegiance

D. Presentations

- D-1 Awards – None
- D-2 Proclamations
 - a) Lodi Boys and Girls Club – National Kids Day
 - b) National Night Out (PD)
- D-3 Presentations
 - a) Presentation by the Greater Lodi Area Youth Commission regarding Honoring Teens Program (COM)
 - b) Presentation of the Lodi Energy Smart Workshop (EUD)

E. Consent Calendar (Reading; comments by the public; Council action)

- E-1 Receive Register of Claims in the amount of \$8,568,497.97 (FIN)
- E-2 Approve minutes (CLK)
 - a) June 16, 2004 (Regular Meeting)
 - b) July 6, 2004 (Shirtsleeve Session)
 - c) July 7, 2004 (Regular Meeting)
 - d) July 12, 2004 (Special Meeting)
- E-3 Report of sale of surplus equipment (PW)
- E-4 Authorize advertisement for transportation services for the Junior Giants and authorize use of buses should no alternate provider be willing to perform the service (PW)
- Res. E-5 Adopt resolution approving specifications and authorizing advertisement for bids for low-voltage fuses, fuse holders, and wire and authorizing the City Manager to award the bid up to \$40,000 (EUD)
- Res. E-6 Adopt resolution authorizing the purchase of software for the Public Works Fleet Services Division from Ron Turley Associates, Inc., of Phoenix, Arizona (\$14,535) (PW)
- E-7 Accept improvements under contract for Well 10C Site Improvements, 790 North Guild Avenue (PW)
- E-8 Accept improvements under contract for Main Street Storm Drain Improvement Project (Lodi Avenue to Flora Street) (PW)
- Res. E-9 Adopt resolution authorizing the City Manager to allocate Public Benefit Program funds to extend for one year the Lodi Small Business Energy Services Partnership (\$25,000) (EUD)
- E-10 Set public hearing for August 4, 2004, to consider the Planning Commission's recommendation of approval of the request of KB Home for a rezone from R-MD, Residential Medium Density, to PD(36), Planned Development Number 36, for The Villas, an 80-lot medium-density, single-family residential subdivision located at 449 East Harney Lane (CD)

F. Comments by the public on non-agenda items

THE TIME ALLOWED PER NON-AGENDA ITEM FOR COMMENTS MADE BY THE PUBLIC IS LIMITED TO FIVE MINUTES.

The City Council cannot deliberate or take any action on a non-agenda item unless there is factual evidence presented to the City Council indicating that the subject brought up by the public does fall into one of the exceptions under Government Code Section 54954.2 in that (a) there is an emergency situation, or (b) the need to take action on the item arose subsequent to the agenda's being posted.

Unless the City Council is presented with this factual evidence, the City Council will refer the matter for review and placement on a future City Council agenda.

G. Public Hearings

- G-1 Re-continue public hearing to September 15, 2004, to consider an appeal received from Key Advertising, Inc., regarding the Planning Commission's decision to deny the request of Key Advertising for a Use Permit to allow a 75-foot-high electronic display sign and a Variance to double the maximum allowable sign area from 480 square feet to 960 square feet to be located at 1251 South Beckman Road (CD)
- Res. G-2 Public hearing to consider resolution adopting the amended Impact Mitigation Fee for Streets and Roads and amended Exhibits I and J of the Development Impact Fee Update Study, October 2001 (PW)
- G-3 Public hearing to consider adoption of the Transit Division's fiscal year 2002-03 program of projects (PW)

H. Communications

- H-1 Claims filed against the City of Lodi – None
- H-2 Reports: Boards/Commissions/Task Forces/Committees – None
- H-3 Appointments
a) Appointments/Reappointments to the Greater Lodi Area Youth Commission (CLK)
- H-4 Miscellaneous – None

I. Regular Calendar

- Res. I-1 Adopt resolution approving the 2004-05 Financial Plan and Budget and the 2004-05 Appropriations Spending Limit (CM)
- I-2 Report on impacts of Large-Scale Retail Initiative (CD/FIN)
- Res. I-3 Adopt 1) resolution accepting Certificate of Sufficiency of Petition for the Large-Scale Retail Initiative submitted by the Small City Preservation Committee; 2) resolution to place the measure on the ballot for the November 2, 2004, General Municipal Election; or adopt the ordinance as presented; and 3) resolution setting priorities for filing written arguments (CLK)
- Res. I-4 Approve Special Allocation for expenses incurred by outside counsel/consultants relative to the Environmental Abatement Program litigation (\$200,280.57) (CA)
- Res. I-5 Council discussion and appropriate action regarding a proposed amended and restated contract for legal document services (docket clerk) with Kronick, Moskovitz, Tiedemann & Girard to assist with the Environmental Abatement Program litigation and/or proposed alternatives (CA)
- Res. I-6 Discussion of Council Appointee compensation and benefits – City Clerk (Government Code §54957)
- Res. I-7 Adopt resolution approving employment contract with D. Stephen Schwabauer, City Attorney (HR)

J. Ordinances – None

K. Comments by the City Council Members on non-agenda items

L. Comments by the City Manager on non-agenda items

M. Adjournment

Pursuant to Section 54954.2(a) of the Government Code of the State of California, this agenda was posted at least 72 hours in advance of the scheduled meeting at a public place freely accessible to the public 24 hours a day.

Susan J. Blackston
City Clerk



CITY OF LODI COUNCIL COMMUNICATION

AGENDA TITLE: Lodi Boys and Girls Club – National Kids Day

MEETING DATE: July 21, 2004

PREPARED BY: City Clerk

RECOMMENDED ACTION: That Mayor Hansen present a proclamation proclaiming Sunday, August 1, 2004, as "National Kids Day" in the City of Lodi.

BACKGROUND INFORMATION: The Mayor has been requested to present a proclamation proclaiming Sunday, August 1, 2004, as "National Kids Day" in the City of Lodi. A representative of the Lodi Boys and Girls Club will be at the meeting to accept the proclamation.

FUNDING: None required.

Susan J. Blackston
City Clerk

SJB/JMP

APPROVED: _____
H. Dixon Flynn, City Manager



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CITY OF LODI COUNCIL COMMUNICATION

AGENDA TITLE: Presentation of National Night Out 2004 Proclamation

MEETING DATE: July 21, 2004

PREPARED BY: Jerry Adams, Chief of Police

RECOMMENDED ACTION: That Mayor Hansen present a proclamation proclaiming Tuesday, August 3, 2004 as "National Night Out 2004".

BACKGROUND INFORMATION: The Mayor has been requested to present a proclamation proclaiming August 3, 2004 as "National Night Out 2004" in the City of Lodi. Police Chief Jerry Adams and Crime Prevention Officer Carla Cole of the Lodi Police Department will be present to accept the proclamation.

FUNDING: None

Jerry J. Adams
Chief of Police

JJA:sm

cc: City Attorney

APPROVED: _____
H. Dixon Flynn, City Manager



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CITY OF LODI COUNCIL COMMUNICATION

AGENDA TITLE: Presentation by the Greater Lodi Area Youth Commission
regarding Teen of the Month Program

MEETING DATE: July 21, 2004

PREPARED BY: Greater Lodi Area Youth Commission Coordinator

RECOMMENDED ACTION: Presentation.

BACKGROUND INFORMATION:

The Greater Lodi Area Youth Commission, in conjunction with Central Valley Waste Services, Inc., is sponsoring a program entitled Teen of the Month. The Lodi Youth Commission selects one teen to be awarded this honor from the applications submitted to the commission from the general public, various schools, and church groups. The Teen of the Month for July is Lauren Westgate from Lodi High School.

FUNDING: None required.

Mike Areida
Greater Lodi Area Youth Commission
Coordinator

Attachments

APPROVED: _____
H. Dixon Flynn, City Manager

Teen of the Month July 2004

Lauren Westgate graduated from Lodi High School in June of 2004. Miss Westgate lives with her parents, James and Donna, and has an older sister, Erin, who attends Point Loma Nazarene University. She is a member of the Young Republican's Club, Nerds Advanced Placement Club, and the On Fire Christian Club. Miss Westgate was a gold medalist in the regional competition and went on to be a state competitor in the Vocational Industrial Club of America.

Miss Westgate spent four years in the Varsity Badmitten team at Lodi High. She served as an elementary school teacher's aid and an assistant secretary for the Willow Glen Property Owners Association. She participated in soccer through Parks and Recreation and the Children's Summer Theatre for nine years.

In her free time, Miss Westgate enjoys spending time at Mason's Beach surrounded by the nature of the Mokelumne River and often volunteers in clean up work parties there. Another past time is cooking and trying new recipes. Miss Westgate enjoys experimenting with a wide variety of art forms from drawing, pottery, woodworking, and needlepoint projects. To relax, she gardens.

Miss Westgate was able to accomplish all this and maintain a 4.3 GPA.

After graduation, Miss Westgate plans to attend California State University of Chico where she hopes to major in engineering.



CITY OF LODI COUNCIL COMMUNICATION

AGENDA TITLE: Presentation of the *Lodi Energy Smart Workshop*

MEETING DATE: July 21, 2004

PREPARED BY: Electric Utility Director

RECOMMENDED ACTION: None required.

BACKGROUND INFORMATION: On Tuesday, August 3, 2004, the City of Lodi Electric Utility is sponsoring a special community event, entitled the *Lodi Energy Smart Workshop*. This free workshop will be held inside at Hutchins Street Square, beginning at 6:00 p.m.

The purpose of this event is to showcase the various energy efficiency programs and rebates offered to Lodi residents by the City of Lodi. Several energy efficiency products will be provided to the first 150 attendees, including a compact fluorescent lamp, a low-flow showerhead, appliance coupons, and much more. Electric Utility staff will be on hand to explain the numerous residential programs currently available, as well as be on hand to answer any questions regarding energy conservation.

Our event is co-sponsored by: Anderson Maytag, FILCO of Lodi, Home Depot, Kundert & Bauer, Les' Appliance, Orchard Supply Hardware, and Reo's Appliance.

FUNDING: Not applicable.

Alan N. Vallow
Electric Utility Director

PREPARED BY: Rob Lechner, Manager of Customer Service & Programs

ANV/mdw

APPROVED: _____
H. Dixon Flynn, City Manager



CITY OF LODI COUNCIL COMMUNICATION

AGENDA TITLE: Receive Register of Claims Dated July 7, 2004 in the Amount of \$8,568,497.97

MEETING DATE: 07/21/04

PREPARED BY: Finance Technician

RECOMMENDED ACTION: That the City Council receive the attached Register of Claims. The disclosure of the PCE/TCE expenditures are shown as a separate item on the Register of Claims.

BACKGROUND INFORMATION: Attached is the Register of Claims in the amount of \$8,568,497.97 dated July 7, 2004, which includes PCE/TCE payments of \$104.36.

FUNDING: As per attached report.

James R. Krueger, Finance Director

JK/kb

Attachments

APPROVED: _____
H. Dixon Flynn, City Manager

Accounts Payable
Council Report

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Date - 07/07/04
Amount

As of Thursday	Fund	Name	Amount
06/24/04	00100	General Fund	536,470.61
	00102	Facade Program	4,014.82
	00103	Repair & Demolition Fund	2,095.00
	00160	Electric Utility Fund	15,464.80
	00161	Utility Outlay Reserve Fund	8,787.82
	00164	Public Benefits Fund	6,425.43-
	00170	Waste Water Utility Fund	5,397.59
	00171	Waste Wtr Util-Capital Outlay	10,303.96
	00172	Waste Water Capital Reserve	5,831.46
	00180	Water Utility Fund	795.89
	00181	Water Utility-Capital Outlay	51.75
	00210	Library Fund	3,752.86
	00234	Local Law Enforce Block Grant	3,955.07
	00235	LPD-Public Safety Prog AB 1913	555.61
	00270	Employee Benefits	33,770.18
	00300	General Liabilities	171,748.89
	00310	Worker's Comp Insurance	13,915.47
	00320	Street Fund	11,924.47
	01211	Capital Outlay/General Fund	2,487.14
	01250	Dial-a-Ride/Transportation	142,580.25
	01410	Expendable Trust	26,608.68
Sum			994,086.89
Total for Week			
Sum			994,086.89

Accounts Payable
Council Report

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Date
Amount

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As of Thursday	Fund	Name	
07/01/04	00100	General Fund	716,831.03
	00120	Vehicle Replacement Fund	5,536.49
	00123	Info Systems Replacement Fund	94.83
	00160	Electric Utility Fund	4,795,322.80
	00161	Utility Outlay Reserve Fund	2,142.40
	00164	Public Benefits Fund	5,755.56
	00170	Waste Water Utility Fund	11,615.25
	00171	Waste Wtr Util-Capital Outlay	37.80
	00172	Waste Water Capital Reserve	1,280,725.00
	00180	Water Utility Fund	2,307.04
	00181	Water Utility-Capital Outlay	34,273.85
	00210	Library Fund	12,774.01
	00234	Local Law Enforce Block Grant	6,921.86
	00235	LPD-Public Safety Prog AB 1913	60.98
	00270	Employee Benefits	307,902.90
	00300	General Liabilities	11,403.19
	00310	Worker's Comp Insurance	38,666.52
	00320	Street Fund	1,548.98
	00325	Measure K Funds	141,427.20
	00327	IMF(Local) Streets Facilities	12,642.04-
	00329	TDA - Streets	20,095.44
	00331	Federal - Streets	155,104.56
	00332	IMF(Regional) Streets	491.88
	00337	Traffic Congestion Relf-AB2928	12,965.11
	00501	Lcr Assessment 95-1	1,229.33
	01211	Capital Outlay/General Fund	9,956.00
	01250	Dial-a-Ride/Transportation	7,188.70
	01410	Expendable Trust	4,570.05
Sum			7,574,306.72
	00183	Water PCE-TCE	104.36
Sum			104.36
Total for Week			
Sum			7,574,411.08

Council Report for Payroll

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Date -

07/07/04

Payroll	Pay Per Date	Co	Name	Gross Pay

-				
Regular	06/20/04	00100	General Fund	862,253.73
		00160	Electric Utility Fund	158,590.93
		00161	Utility Outlay Reserve Fund	2,742.22
		00164	Public Benefits Fund	4,892.40
		00170	Waste Water Utility Fund	61,471.11
		00172	Waste Water Capital Reserve	2,659.74
		00180	Water Utility Fund	8,472.00
		00210	Library Fund	31,776.97
		00235	LPD-Public Safety Prog AB 1913	1,848.83
		01250	Dial-a-Ride/Transportation	2,819.73

Pay Period Total:				
Sum				1,137,527.66
Retiree	07/31/04	00100	General Fund	28,570.71
		00210	Library Fund	490.38

Pay Period Total:				
Sum				29,061.09



CITY OF LODI COUNCIL COMMUNICATION

AGENDA TITLE: Approve Minutes
a) June 16, 2004 (Regular Meeting)
b) July 6, 2004 (Shirtsleeve Session)
c) July 7, 2004 (Regular Meeting)
d) July 12, 2004 (Special Meeting)

MEETING DATE: July 21, 2004

PREPARED BY: City Clerk

RECOMMENDED ACTION: That the City Council approve the following minutes as prepared:

- a) June 16, 2004 (Regular Meeting)
- b) July 6, 2004 (Shirtsleeve Session)
- c) July 7, 2004 (Regular Meeting)
- d) July 12, 2004 (Special Meeting)

BACKGROUND INFORMATION: Attached are copies of the subject minutes, marked Exhibits A through D.

FUNDING: None required.

Susan J. Blackston
City Clerk

SJB/JMP

Attachments

APPROVED: _____
H. Dixon Flynn, City Manager

**LODI CITY COUNCIL
REGULAR CITY COUNCIL MEETING
CARNEGIE FORUM, 305 WEST PINE STREET
WEDNESDAY, JUNE 16, 2004**

C-1 CALL TO ORDER / ROLL CALL

The City Council Closed Session meeting of June 16, 2004, was called to order by Mayor Pro Tempore Beckman at 5:34 p.m.

Present: Council Members – Beckman, Hitchcock (arrived at 5:36 p.m.), Howard, and Land

Absent: Council Members – Mayor Hansen

Also Present: City Manager Flynn, Interim City Attorney Schwabauer, and City Clerk Blackston

C-2 ANNOUNCEMENT OF CLOSED SESSION

- a) Actual Litigation: Government Code §54956.9(a); one case; People of the State of California; and the City of Lodi, California v. M & P Investments, et al.; United States District Court, Eastern District of California, Case No. CIV-S-00-2441 FCD JFM
- b) Actual litigation: Government Code §54956.9(a); one case; Hartford Accident and Indemnity Company, et al. v. City of Lodi, et al., Superior Court, County of San Francisco, Case No. 323658
- c) Conference with legal counsel – initiation of litigation: Government Code §54956.9(c); two cases
- d) Conference with legal counsel – anticipated litigation – significant exposure to litigation pursuant to subdivision (b) of Section 54956.9; one case; pursuant to Government Code §54956.9(b)(3)(A) facts, due to not being known to potential plaintiffs, shall not be disclosed
- e) Actual Litigation: Government Code §54956.9(a); one case; City of Lodi, a California Municipal Corporation, and Lodi Financing Corporation, a California nonprofit corporation v. Lehman Brothers, Inc. and US Bank National Association, United States District Court, Eastern District of California, Case No. CIV. S-04-0606 MCE-KJM
- f) Actual Litigation: Government Code §54956.9(a); one case; Sanchez v. City of Lodi et al., San Joaquin County Superior Court, Case No. CV 022301

C-3 ADJOURN TO CLOSED SESSION

At 5:34 p.m., Mayor Pro Tempore Beckman adjourned the meeting to a Closed Session to discuss the above matters.

C-4 RETURN TO OPEN SESSION / DISCLOSURE OF ACTION

At 7:06 p.m., Mayor Pro Tempore Beckman reconvened the City Council meeting, and Interim City Attorney Schwabauer disclosed the following actions.

In regard to Item C-2 (a), on two votes of 4-0, Council approved a \$44,000 work plan for studying indoor air contamination in the area of the central plume and approved a \$55,000 work plan to characterize the northern contamination plume.

In regard to Item G2 (f), on a vote of 3-1 with Council Member Hitchcock dissenting, Council approved a settlement in the Sanchez v. City of Lodi case allowing an industrial disability retirement and \$25,000 in attorney's fees for the claimant's lawyer.

In regard to Item C-2 (b), (c), (d), and (e), no reportable action was taken in closed session and the matters were continued to the conclusion of the regular calendar.

A. CALL TO ORDER / ROLL CALL

The Regular City Council meeting of June 16, 2004, was called to order by Mayor Pro Tempore Beckman at 7:06 p.m.

Present: Council Members – Beckman, Hitchcock, Howard, and Land

Absent: Council Members – Mayor Hansen

Also Present: City Manager Flynn, Interim City Attorney Schwabauer, and City Clerk Blackston

B. INVOCATION

The invocation was given by Pastor Richard Wheeler, Living Truth Christian Church.

C. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance/presenting the colors was led by Boy Scouts of America Troop 291.

D. AWARDS / PROCLAMATIONS / PRESENTATIONS

D-1 Awards – None

D-2 (a) “United States Army Week” was ***pulled from the agenda at the request of the US Army.***

D-3 (a) Merle Warner, representing the Lodi Area All Veterans Plaza Foundation, presented a check in the amount of \$10,000 to Mayor Pro Tempore Beckman, who accepted on behalf of the City, toward the quarterly payment on loan from the City of Lodi.

D-3 (b) Mary Goad, member of the Greater Lodi Area Youth Commission, acknowledged the Teen of the Month, Katelin Grant from Lodi High School.

D-3 (c) Janet Hamilton, Management Analyst, thanked sponsors and volunteers who assisted with the May 16 Celebration on Central event.

E. CONSENT CALENDAR

In accordance with the report and recommendation of the City Manager, Council, on motion of Council Member Land, Howard second, approved the following items hereinafter set forth by the vote shown below:

Ayes: Council Members – Beckman, Hitchcock, Howard, and Land

Noes: Council Members – None

Absent: Council Members – Mayor Hansen

E-1 Claims were approved in the amount of \$4,551,317.05.

E-2 The minutes of May 5, 2004 (Regular Meeting), June 1, 2004 (Shirtsleeve Session), June 1, 2004 (Special Meeting), June 4, 2004 (Special Meeting), and June 7, 2004 (Special Meeting) were approved as written.

E-3 Authorized the advertisement of request for proposals for Design/Build Services for Municipal Service Center Public Works Locker Room Expansion.

E-4 Adopted Resolution No. 2004-116 rejecting all bids, authorizing advertisement for bids for the Henning Substation Heavy Load Access and Driveway, 1345 West Kettleman Lane, and further authorizing the City Manager to award or reject the contract up to \$22,000.

E-5 Adopted Resolution No. 2004-117 authorizing the award of contract for rental and cleaning of uniforms for certain field and warehouse employees to Unifirst Corporation, of Stockton, in the amount of \$20,454.10.

E-6 Approved additional task orders for West Yost & Associates for White Slough Facility improvements and appropriated funds in the amount of \$258,000.

E-7 Accepted the improvements under the “Communication Conduit Installation (Carnegie Forum at 305 West Pine Street to 300 West Pine Street)” contract.

- E-8 Adopted Resolution No. 2004-118 accepting Harney Lane and Mills Avenue street frontage improvements in Century Meadows Three, Unit No. 4, Tract No. 2769.
- E-9 Adopted Resolution No. 2004-119 amending the City of Lodi Public Works Transit Policy and Procedure for use of transit services outside of regular operations.
- E-10 Adopted Resolution No. 2004-120 approving the transfer of General Fund Capital Improvement funds to the Transit fund to correct the deficit of \$887,238.
- E-11 Adopted Resolution No. 2004-121 authorizing the City Manager to allocate \$55,000 in Public Benefits Program funds to extend for one year the Lodi Solar Schoolhouse Program and authorizing the City Manager to execute a contract with The Rarus Institute to assist in administering elements of this program.
- E-12 Adopted Resolution No. 2004-122 authorizing the City Manager to allocate \$25,000 in Public Benefits Program funds for Lodi's first annual Electronic Waste Clean-Up Day and authorizing the City Manager to execute a contract with Teris LLC/MSE Environmental to provide disposal and recycling services for this program.
- E-13 Adopted Resolution No. 2004-123 authorizing renewal of IBM Operating System Software for AS400 from Logical Design, Inc., of Rancho Cordova, CA, in the amount of \$29,200.25.
- E-14 Set public hearing for July 21, 2004, to consider adoption of the amended Impact Mitigation Fee for Streets and Roads and amended Exhibits I and J of the Development Impact Fee Update Study, October 2001.

F. COMMENTS BY THE PUBLIC ON NON-AGENDA ITEMS

- Terri Hamilton stated that she was speaking on behalf of her neighbors on Mission Street between Central Avenue and Garfield Street. She complained of speeding traffic and expressed concern for the safety of the children and residents in the area. She requested that a stop sign be installed at the corner of Mission Street and Wellswood Avenue. She reported that Public Works previously placed a traffic counter on the street and counted 422 cars in a 24-hour period.

Public Works Director Prima indicated that Ms. Hamilton would receive a reply from staff within a week.

- Nancy Beckman, Executive Director of the Lodi Conference and Visitors Bureau, presented a copy of an article on Lodi that was recently published in the Fairfield Daily Republic.
- Robin Rushing stated that he lives on \$700 a month from social security and the City's utility rate increases have amounted to \$10 more a month on his bill, which has placed a hardship on him. Mr. Rushing stated that he is a participant in the City's discount programs.

Council Member Howard suggested that Mr. Rushing contact the Salvation Army regarding its assistance programs.

- Frank Alegre felt that it was a waste of City resources to have given employees a day off to observe memorial services for former President Reagan. He spoke in opposition of the City creating a 911 fee. He commended Council for hiring Steve Schwabauer as the City Attorney.

Council Member Hitchcock recalled that she had asked City Manager Flynn if the day off would cost the City money and his answer was that it would not.

City Manager Flynn confirmed that there would not be any additional cash outflow due to observing a day of remembrance for President Reagan.

Mr. Alegre countered that the City will wind up paying overtime for work that did not get done during the day off. He expressed agreement with a recent Forbes magazine article that referred to the Lodi Council as "rubes" in relation to its handling of Lehman Brothers.

G. PUBLIC HEARINGS

None.

H. COMMUNICATIONS

H-1 On recommendation of the City's contract administrator and Human Resources staff, the City Council, on motion of Council Member Hitchcock, Beckman second, rejected the following claims by the vote shown below:

Ayes: Council Members – Beckman, Hitchcock, Howard, and Land

Noes: Council Members – None

Absent: Council Members – Mayor Hansen

a) Lehman Brothers by Helen Duncan, Esq., date of loss 2000-04

b) James L. Byard, Ph.D., date of loss November 2003

H-2 Reports: Boards/Commissions/Task Forces/Committees – None

H-3 The following postings/appointments were made:

a) The City Council, on motion of Council Member Hitchcock, Land second, made the following appointments by the vote shown below:

Ayes: Council Members – Beckman, Hitchcock, Howard, and Land

Noes: Council Members – None

Absent: Council Members – Mayor Hansen

Lodi Arts Commission

Laura Heinitz Term to expire July 1, 2007

Margie Lawson Term to expire July 1, 2007

Library Board of Trustees

Cynthia Neely Term to expire June 30, 2007

Ken Vogel Term to expire June 30, 2007

Planning Commission

Eduardo Aguirre Term to expire June 30, 2008

Dennis White Term to expire June 30, 2008

H-4 Miscellaneous

a) City Clerk Blackston presented the cumulative Monthly Protocol Account Report through May 31, 2004.

I. REGULAR CALENDAR

I-1 "Presentation of the San Joaquin County Housing Authority's Annual Report"

Ed Sido, Interim Executive Director of the San Joaquin Housing Authority, stated that it has been in operation for 60 years. The Housing Authority offers a Section 8 rental assistance program to 5,000 low- to moderate-income families. There are 8,000 on the waiting list for the Section 8 program. Ten families participate in a home ownership assistance program. The Housing Authority owns 1,050 units in San Joaquin County as part of its public housing program. Assistance with job training and seeking employment is also offered through the Housing Authority. He commented that a Grand Jury report was issued recently, in which the Commission is not fully in agreement with its findings and recommendations.

In response to Council Member Hitchcock, Mr. Sido reported that 90% of the Housing Authority's funding comes from the federal government and 10% from the State for the Migrant Farm Worker Program. The Department of Housing and Urban Development (HUD)

has decreased funding to August 2003 levels. This has resulted in reducing the utilities allowance for the elderly and disabled by 50%, and no utility cost assistance will be provided any longer for others.

Council Member Land reported that the San Joaquin Housing Authority has been rated by HUD as a high performer and has found no exceptions or discrepancies in audits. Three of the four recommendations by the Grand Jury have already been implemented.

MOTION / VOTE:

There was no Council action necessary on this matter.

- I-2 "Adopt resolution approving regulations pertaining to the candidates' statements for the November 2, 2004, General Municipal Election"

Interim City Attorney Schwabauer recalled that Council had asked whether the existing practice of the City paying candidate statements is legal, or whether it violates Government Code Section 85300, which prohibits the use of public money for the purpose of running for political office. He found an Attorney General opinion and Fair Political Practices Commission opinion, which conclude that the prohibition in Section 85300 does not apply to paying for candidates' statements and it is legal for a city to pay the cost of candidates' statements as is suggested in Elections Code Section 13307.

Mayor Pro Tempore Beckman noted that the two cases referenced in the opinions were school districts or small entities, in which there generally is not a lot of competition for the seats. He surmised that in those instances they likely wanted to increase the number of candidates in the pool.

At the request of City Manager Flynn, City Clerk Blackston reported that in an informal survey conducted in 2002, of 75 cities that responded, only 9 cities paid for candidates' statements.

Mr. Schwabauer reported that he recently conducted a similar survey, and of the four responses, none of the cities paid for the candidates' statements.

In reply to Council Member Hitchcock, Ms. Blackston confirmed that candidate statements were not a requirement to run for public office.

Mayor Pro Tempore Beckman interpreted Government Code Section 85300 as it being illegal for the City to pay for the cost of printing candidates' statements.

Council Member Hitchcock concurred and stated that it seems like a contribution to candidates to pay for the statements. She recommended that the City begin charging candidates for the actual cost of printing the statements beginning in 2004, due to budget constraints.

Council Member Land agreed that, due to budget constraints, it should be implemented for the 2004 election.

MOTION / VOTE:

The City Council, on motion of Council Member Land, Beckman second, adopted Resolution No. 2004-124 approving regulations pertaining to candidate's statement of qualifications; stipulating that candidates shall be required to pay all costs associated with printing the candidate's statement in the voters' pamphlet for the November 2, 2004, election, and setting the word limit at 200. The motion carried by the following vote:

Ayes: Council Members – Beckman, Hitchcock, Howard, and Land

Noes: Council Members – None

Absent: Council Members – Mayor Hansen

- I-3 "Adopt resolution authorizing the continuation of expenditures from July 1 to 31, 2004, or until adoption of the 2004-05 Financial Plan and Budget"

Finance Director Krueger explained that in accordance with budget policies there are two options available when it is not possible to adopt the budget by July 1: 1) give the City Manager continuing resolution authority to approve bills, payroll, and operations in accordance with the plan adopted for 2003-04, or 2) require staff to obtain prior approval for the expenditure or disbursement of City funds, which would mean coming forward to Council on a regular basis for approval until the budget is adopted.

Council Member Howard felt that it was important to adopt the budget by June 30, noting that there is a quorum to do so and the anticipated delay is due only to vacation schedules.

Council Member Hitchcock stated that waiting until the meeting of July 21 to adopt the budget would not disrupt anything in the City.

MOTION:

Council Member Hitchcock made a motion to adopt a resolution authorizing the continuation of expenditures from July 1 to 31, 2004, or until adoption of the 2004-05 Financial Plan and Budget. The motion **died** for lack of a second.

City Manager Flynn asked Ms. Hitchcock if she could participate in a June 30 meeting by teleconference, to which it was determined not to be feasible.

Council Member Land agreed that adopting a budget on time is important and recalled that during his eight years on the Council it has been accomplished. He recommended that budget approval be considered at a Special meeting on June 30.

Council Member Hitchcock requested that she be allowed to participate in the process, noting that she would have to live with the budget for the remainder of her term on the Council, whereas two Council Members terms would be ending in December.

MOTION / VOTE:

The City Council, on motion of Mayor Pro Tempore Beckman, Hitchcock second, adopted Resolution No. 2004-125 authorizing the continuation of expenditures from July 1 to 31, 2004, or until adoption of the 2004-05 Financial Plan and Budget. The motion carried by the following vote:

Ayes: Council Members – Beckman, Hitchcock, Howard, and Land

Noes: Council Members – None

Absent: Council Members – Mayor Hansen

- I-4 "Receive the Impact Mitigation Fee Program Annual Report for fiscal year 2002-03"

Public Works Director Prima reported that the City has an impact mitigation fee program, in which it charges new development fees for capital facilities in accordance with state law. One of the requirements is that an annual report is done regarding monies collected. He noted that Council has received a "blue sheet" listing adjustments (filed). The fee amount is based per acre of development. Fees are adjusted automatically every January. The Police Impact Fee fund balance of June 30, 2003 was \$901,000. During the current fiscal year that money was transferred into the General Fund Capital Program to reimburse it for the police building that was constructed last year. Fire Impact Fees has a negative balance of \$1.4 million and the Water Fund has a positive balance of \$2.5 million. Council had approved an interfund loan from Water to Fire to pay for Fire Station #4.

Council Member Hitchcock recalled that for over a month she had asked for a report on what the cash balances were.

Mr. Prima acknowledged that the amounts listed were fund balances, not cash balances. He stated that the next presentation to Council would include the cash balances.

Council Member Hitchcock asked that Council receive a report on all cash balances each month, to which Finance Director Krueger indicated that it was already being done.

In reply to Council Member Hitchcock, Mr. Prima explained that the ordinance now in place provides two mechanisms for updating the fees. The construction cost index is an automatic adjustment and would take into account increases in costs of materials. The price of land is not covered. He noted that staff is considering coming to Council in September with a mid-year update to consider the amount of land purchases that are in the program, do a break out calculation of how much land costs are in the total program, and recommend a prorated increase for that portion.

MOTION / VOTE:

There was no Council action necessary on this matter.

J. ORDINANCES

- J-1 Following reading of the title of Ordinance No. 1748 entitled, "An Ordinance of the City Council of the City of Lodi Amending Lodi Municipal Code Chapter 12.12 – Parks – by Adding Article IV, 'Skate Parks,' Relating to Skate Park Regulations," having been introduced at a regular meeting of the Lodi City Council held June 2, 2004, the City Council, on motion of Council Member Land, Beckman second, waived reading of the ordinance in full and adopted and ordered it to print by the following vote:

Ayes: Council Members – Beckman, Hitchcock, Howard, and Land
Noes: Council Members – None
Absent: Council Members – Mayor Hansen
Abstain: Council Members – None

- J-2 Following reading of the title of Ordinance No. 1749 entitled, "An Ordinance of the City Council of the City of Lodi Amending Title 10, Chapter 10.44, 'Stopping, Standing, and Parking,' by Adding Section 10.44.170 Related to Disabled Parking Regulations," having been introduced at a regular meeting of the Lodi City Council held June 2, 2004, the City Council, on motion of Mayor Pro Tempore Beckman, Howard second, waived reading of the ordinance in full and adopted and ordered it to print by the following vote:

Ayes: Council Members – Beckman, Hitchcock, Howard, and Land
Noes: Council Members – None
Absent: Council Members – Mayor Hansen
Abstain: Council Members – None

K. COMMENTS BY CITY COUNCIL MEMBERS ON NON-AGENDA ITEMS

- Council Member Howard announced that she presented a certificate of recognition on behalf of the Council last weekend to Grace Montgomery for her 100th birthday on June 11.
- Council Member Hitchcock congratulated Steve Schwabauer on his recent appointment as City Attorney. Addressing City Manager Flynn, she recalled that when the City borrowed money for capital projects and for the new police building, it borrowed more money than what was needed so that it could be put toward other projects. She asked whether this money was placed in the General Fund to be used to cover the deficits that are now occurring in operating expenses.

City Manager Flynn recalled that four years ago the City began putting aside \$1.5 million a year to demonstrate that it had the capacity in the General Fund operating budget to absorb additional debt. Approximately \$4.5 million was accumulated and went into the General Fund. Prior to last year, the City's debt service was \$1.3 million. When the refinancing was done, it increased to \$1.7 million. There was \$350,000 a year that was being transferred from Electric

Utility to the General Fund, as well as interest earnings. In addition, \$4 million was obtained through the state toward the new police building. In total, all of this money was being accumulated for the police building, the animal shelter, the indoor sports facility, the aquatics center, DeBenedetti Park, and reconstructing Fire Station #2. At approximately this time last year, the State had informed the City that Lodi would be giving up \$2.3 million on an ongoing basis from its Vehicle License Fees. In January 2004, staff recommended that all the capital projects be placed on hold. Mr. Flynn stated that, in total, approximately \$6.1 million has accumulated and staff is now recommending that the money be used to meet debt service needs for 2004-06 and that money not be transferred from the property tax to General Fund Capital for the next two years, which would amount to a savings to the General Fund Operating of \$1.9 million.

Interim City Attorney Schwabauer cautioned Council that it was going beyond the limitation of "Council Comments on non-agenda items" and advised that this was not an opportunity to allow discussion and deliberation to this extent on issues facing the Council.

Council Member Hitchcock asked Mr. Schwabauer to research the matter and report back to Council on whether the money that was borrowed for projects can be placed into the General Fund to offset operating expenses.

City Manager Flynn answered that Certificates of Participation money cannot be used for any other purpose than what it was intended for.

L. COMMENTS BY THE CITY MANAGER ON NON-AGENDA ITEMS

- City Manager Flynn announced that Alan Vallow's birthday was July 2 and he thanked everyone who attended the memorial service for former President Reagan.

M. ADJOURNMENT

The City Council meeting was adjourned at 8:44 p.m. in memory of former President, Ronald Reagan, who passed away on June 5.

ADJOURN TO CLOSED SESSION

At 8:47 p.m., Mayor Pro Tempore Beckman adjourned the meeting to the continued Closed Session to discuss the following matters.

- a) Actual Litigation: Government Code §54956.9(a); one case; People of the State of California; and the City of Lodi, California v. M & P Investments, et al.; United States District Court, Eastern District of California, Case No. CIV-S-00-2441 FCD JFM
- b) Actual litigation: Government Code §54956.9(a); one case; Hartford Accident and Indemnity Company, et al. v. City of Lodi, et al., Superior Court, County of San Francisco, Case No. 323658
- c) Conference with legal counsel – initiation of litigation: Government Code §54956.9(c); two cases
- d) Conference with legal counsel – anticipated litigation – significant exposure to litigation pursuant to subdivision (b) of Section 54956.9; one case; pursuant to Government Code §54956.9(b)(3)(A) facts, due to not being known to potential plaintiffs, shall not be disclosed
- e) Actual Litigation: Government Code §54956.9(a); one case; City of Lodi, a California Municipal Corporation, and Lodi Financing Corporation, a California nonprofit corporation v. Lehman Brothers, Inc. and US Bank National Association, United States District Court, Eastern District of California, Case No. CIV. S-04-0606 MCE-KJM
- f) Actual Litigation: Government Code §54956.9(a); one case; Sanchez v. City of Lodi et al., San Joaquin County Superior Court, Case No. CV 022301

The Closed Session adjourned at 9:14 p.m.

Continued June 16, 2004

RETURN TO OPEN SESSION / DISCLOSURE OF ACTION

At 9:14 p.m., Mayor Pro Tempore Beckman reconvened the City Council meeting, and Interim City Attorney Schwabauer disclosed that no reportable action was taken in closed session.

ADJOURNMENT

There being no further business to come before the City Council, the meeting was adjourned at 9:14 p.m.

ATTEST:

Susan J. Blackston
City Clerk

**CITY OF LODI
INFORMAL INFORMATIONAL MEETING
"SHIRTSLEEVE" SESSION
CARNEGIE FORUM, 305 WEST PINE STREET
TUESDAY, JULY 6, 2004**

The July 6, 2004, Informal Informational Meeting ("Shirtsleeve" Session) of the Lodi City Council was canceled.

ATTEST:

Susan J. Blackston
City Clerk

**LODI CITY COUNCIL
REGULAR CITY COUNCIL MEETING
CARNEGIE FORUM, 305 WEST PINE STREET
WEDNESDAY, JULY 7, 2004**

C-1 CALL TO ORDER / ROLL CALL

The City Council Closed Session meeting of July 7, 2004, was called to order by Mayor Hansen at 5:31 p.m.

Present: Council Members – Beckman, Howard, Land, and Mayor Hansen

Absent: Council Members – Hitchcock

Also Present: City Manager Flynn, Interim City Attorney Schwabauer, and City Clerk Blackston

C-2 ANNOUNCEMENT OF CLOSED SESSION

- a) Conference with labor negotiator regarding Maintenance and Operators; pursuant to Government Code §54957.6
- b) Actual litigation: Government Code §54956.9(a); one case; People of the State of California; and the City of Lodi, California v. M & P Investments, et al.; United States District Court, Eastern District of California, Case No. CIV-S-00-2441 FCD JFM
- c) Actual litigation: Government Code §54956.9(a); one case; Hartford Accident and Indemnity Company, et al. v. City of Lodi, et al., Superior Court, County of San Francisco, Case No. 323658
- d) Conference with legal counsel – initiation of litigation: Government Code §54956.9(c); two cases
- e) Conference with legal counsel – anticipated litigation – significant exposure to litigation pursuant to subdivision (b) of Section 54956.9; one case; pursuant to Government Code §54956.9(b)(3)(A) facts, due to not being known to potential plaintiffs, shall not be disclosed
- f) Actual litigation: Government Code §54956.9(a); one case; City of Lodi, a California Municipal Corporation, and Lodi Financing Corporation, a California nonprofit corporation v. Lehman Brothers, Inc. and US Bank National Association, United States District Court, Eastern District of California, Case No. CIV. S-04-0606 MCE-KJM
- g) Actual litigation: Government Code §54956.9(a); one case; Lehman Brothers Inc., v. City of Lodi and Lodi Financing Corporation, United States District Court, Eastern District of California Case No. CIV-S-04-0850 FCD/JFM
- h) Actual litigation: Government Code §54956.9(a); one case; Fireman's Fund Insurance Company v. City of Lodi, et al., United States District Court, Eastern District of California Case No. CIV-S-98-1489 FCD JFM

C-3 ADJOURN TO CLOSED SESSION

At 5:31 p.m., Mayor Hansen adjourned the meeting to a Closed Session to discuss the above matters.

The Closed Session adjourned at 7:05 p.m.

C-4 RETURN TO OPEN SESSION / DISCLOSURE OF ACTION

At 7:12 p.m., Mayor Hansen reconvened the City Council meeting, and Interim City Attorney Schwabauer disclosed the following actions.

In regard to Item C-2 (a), Council authorized its negotiators to return with a proposal to the Maintenance and Operators unit.

In regard to Item C-2 (f), Council authorized amendment of the City's complaint against Lehman Brothers.

In regard to Item C-2 (h), Council authorized further settlement discussions with USF&G.

In regard to Item G2 (b), (c), (d), (e), and (g), there was no reportable action taken in closed session.

A. CALL TO ORDER / ROLL CALL

The Regular City Council meeting of July 7, 2004, was called to order by Mayor Hansen at 7:12 p.m.

Present: Council Members – Beckman, Howard, Land, and Mayor Hansen

Absent: Council Members – Hitchcock

Also Present: City Manager Flynn, Interim City Attorney Schwabauer, and City Clerk Blackston

B. INVOCATION

The invocation was given by Father Rick Matters, St. John the Baptist Episcopal Church.

C. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Hansen.

D. AWARDS / PROCLAMATIONS / PRESENTATIONS

D-1 Awards – None

D-2 (a) Mayor Hansen presented a proclamation to Parks and Recreation Director, Tony Goehring, proclaiming the month of July 2004 as "Parks and Recreation Month" in the City of Lodi.

D-3 (a) Following introduction by Commission Members Ricky Gill and Jeff Fleak, Mayor Hansen presented a Certificate of Appreciation to Samir Berbawy in honor of his service as an adult advisor on the Greater Lodi Area Youth Commission. Mr. Berbawy retired from the Greater Lodi Area Youth Commission after seven and a half years of service and will be moving to Egypt to serve as Principal for a Seventh Day Adventist School.

Mayor Hansen acknowledged Ricky Gill for having recently been appointed by the Governor to the State Board of Education.

D-3 (b) Assemblymember Alan Nakanishi recognized Police Chief Adams on his recent installation as the California Police Officer's Association (CPOA) President for 2004-05.

D-3 (c) Rob Lechner, Manager of Customer Services and Programs, announced that the first Lodi Electronic Waste Clean-Up Day would be held on August 14.

E. CONSENT CALENDAR

In accordance with the report and recommendation of the City Manager, Council, on motion of Mayor Hansen, Beckman second, approved the following items hereinafter set forth **except those otherwise noted** by the vote shown below:

Ayes: Council Members – Beckman, Howard, Land, and Mayor Hansen

Noes: Council Members – None

Absent: Council Members – Hitchcock

E-1 Claims were approved in the amount of \$3,551,692.59.

E-2 The minutes of May 19, 2004 (Regular Meeting), June 2, 2004 (Regular Meeting), June 8, 2004 (Shirtsleeve Session), June 8, 2004 (Special Meeting), and June 11, 2004 (Adjourned Special Meeting) were approved as written.

E-3 Adopted Resolution No. 2004-126 authorizing the purchase of JWalk software for use with Orcom ECIS System from Alliance Data Systems Corp., of Dallas, Texas, in the amount of \$11,000.

In reply to Mayor Pro Tempore Beckman, Finance Director Krueger stated that he felt it was a good vendor and appropriate software for the City to continue to use. He stated that the upgrade was necessary to continue to have the software maintained in the future.

- E-4 Adopted Resolution No. 2004-127 awarding the contract for installation of streetlights on Streetlight Completion Project Phase IV to Golden State Utility Company, of Turlock, in the amount of \$746,528.10.
- E-5 Adopted Resolution No. 2004-128 awarding the contract for rental and cleaning of safety clothing for the Electric Utility Department to Cintas Corporation, of Sacramento, in the approximate amount of \$7,774 annually.
- E-6 Accepted the improvements under the "Lodi Parks and Recreation Lighting Retrofit Project, 111 North Stockton Street" contract.
- E-7 Accepted the improvements under the "English Oaks Common Park Shade Structure, 2184 Newbury Circle" contract.
- E-8 Accepted the improvements under the "Emerson Park Playground Improvements, 11 North Hutchins Street" contract.
- E-9 Adopted Resolution No. 2004-129 accepting the improvements in Hutchins Place, Tract No. 3258.
- E-10 Adopted Resolution No. 2004-130 approving the Improvement Agreement and Water Rights Agreement for 847 North Cluff Avenue and directed the City Manager and City Clerk to execute the agreements on behalf of the City.
- E-11 Approved the Improvement Deferral Agreement for 1400 Victor Road and authorized the City Manager and City Clerk to execute the agreement on behalf of the City.
- E-12 Approved the Improvement Agreement for Public Improvements of 715 South Guild Avenue (APN 049-250-68), directed the City Manager and City Clerk to execute the Improvement Agreement on behalf of the City, and appropriated funds in the amount of \$2,440 for applicable reimbursements.
- E-13 Adopted Resolution No. 2004-131 authorizing the City Manager to execute amendments to the current Measure K Environmental and Design and Construction Cooperative Agreements for the Lodi Central City Railroad Safety Project.
- E-14 Adopted Resolution No. 2004-132 authorizing the City Manager to execute Federal Transit Administration Funding Agreement between the City of Lodi and the City of Galt for federal fiscal year 2002-03.
- E-15 Adopted Resolution No. 2004-133 approving the waiver and transfer of Juvenile Accountability Incentive Block Grant funding and disbursement of matching City funds in the amount of \$1,315.
- E-16 Adopted Resolution No. 2004-134 authorizing the City of Lodi to participate in an office supplies contract through the U.S. Communities Government Purchasing Alliance.
- E-17 "Authorize the Treasurer and Revenue Manager to enter into agreements with the Farmers and Merchants Bank of Central California for the issuance of a City credit card for City Attorney, D. Stephen Schwabauer, and Finance Director, James R. Krueger" was **removed from the Consent Calendar and acted upon following approval of the Consent Calendar.**
- E-18 Set public hearing for July 21, 2004, to consider adoption of the Transit Division's fiscal year 2002-03 program of projects.

- E-19 Set public hearing for August 18, 2004, to receive comments on and consider accepting the City of Lodi's Public Health Goals Report.

Council Member Howard noted that Council received a "blue sheet" with a correction on the *Report on Water Quality Relative to Public Health Goals*, noting that the PHG for PCE is 0.06 (not 0.6) micrograms per liter (filed).

Council Member Land commented that staff informed him there were no new detections of PCE/TCE in the wells.

- E-20 Adopted Resolution No. 2004-135 of Preliminary Determination and Resolution No. 2004-136 of Intention to annex Legacy Estates I, Legacy Estates II, and Kirst Estates Zone 5 and The Villas Zone 6 to Lodi Consolidated Landscape Maintenance District No. 2003-1; set public hearing and deadline for receipt of ballots for September 1, 2004; adopted Resolution No. 2004-137 authorizing the City Manager to execute professional services agreement task order 1 with Timothy J. Hachman, attorney at law, in the amount of \$6,500, for services required in support of the annexation; and adopted Resolution No. 2004-138 authorizing the City Manager to execute professional services agreement task order 2 with Thompson-Hysell Engineers, a Division of the Keith Companies, Inc., in the amount of \$9,500, for services required in support of the annexation.
- E-21 Adopted Resolution No. 2004-139 approving cost of living increases for Confidential employees.
-

ACTION ON ITEM REMOVED FROM THE CONSENT CALENDAR

- E-17 "Authorize the Treasurer and Revenue Manager to enter into agreements with the Farmers and Merchants Bank of Central California for the issuance of a City credit card for City Attorney, D. Stephen Schwabauer, and Finance Director, James R. Krueger"

NOTE: Due to a potential conflict of interest related to his employment with Farmers and Merchants Bank, Council Member Land abstained from discussion and voting on this matter.

MOTION / VOTE:

The City Council, on motion of Mayor Hansen, Beckman second, authorized the Treasurer and Revenue Manager to enter into agreements with the Farmers and Merchants Bank of Central California for the issuance of a City credit card for City Attorney, D. Stephen Schwabauer, and Finance Director, James R. Krueger. The motion carried by the following vote:

Ayes: Council Members – Beckman, Howard, and Mayor Hansen
Noes: Council Members – None
Absent: Council Members – Hitchcock
Abstain: Council Members – Land

F. COMMENTS BY THE PUBLIC ON NON-AGENDA ITEMS

- Walter Pruss stated that he has been a Lodi resident since 1963. He asked Council if it had read the June 21 article in Forbes magazine entitled "Municipal Bombs," to which Mayor Hansen replied in the affirmative.

G. PUBLIC HEARINGS

None.

H. COMMUNICATIONS

- H-1 Claims filed against the City of Lodi – None
- H-2 Reports: Boards/Commissions/Task Forces/Committees – None
- H-3 Appointments – None
- H-4 Miscellaneous – None

I. REGULAR CALENDAR

- I-1 “Adopt resolution approving the Impact Mitigation Fee Program Annual Report for fiscal year 2002-03”

Public Works Director Prima reviewed the Impact Mitigation Fee Program fund balances and presented the following information:

- Wastewater Impact Fees cover improvements to systems in the City and a separate fee covers capacity at White Slough; the fund balance is \$643,000;
- Water Impact Fees provide funding for new water wells and other expansions to the system that serves new development; the fund balance is \$2.5 million and the cash balance is \$1.1 million, due to an interfund loan from the Water Fund to the Fire Impact Fees for Fire Station #4;
- Storm Drainage Fees pay for new basins and large trunk lines in new developments; the fund balance is \$1.8 million;
- Streets Local Fees pay for traffic signals and other upgrades to streets; the fund balance is \$680,000 and the cash balance is less due to a loan payable;
- Regional Fees pay for facilities on routes that handle traffic on a more regional basis; the fund balance is –\$400,000 because of an interfund loan and the cash balance is \$400,000;
- Police Impact Fees go toward the new police building; the fund balance is \$900,000; a transfer was made to the Capital Fund;
- Fire Impact Fees were paying for Fire Station #4; however, because there was not enough cash for that project, an interfund loan was made and the fund balance is –\$1.4 million;
- Parks and Recreation Fees pay for additional neighborhood parks and the park portion of the City’s storm drain basins; the fund balance is \$2.1 million; an interfund loan was made to the streets fund, which decreased the cash balance to \$1.3 million;
- General City Facilities is for expansion of the City Center, City Hall areas, etc. and has a cash balance of \$290,000; and
- Art in Public Places has a cash balance of \$345,000.

MOTION/ VOTE:

The City Council, on motion of Council Member Land, Beckman second, adopted Resolution No. 2004-140 approving the Impact Mitigation Fee Program Annual Report for fiscal year 2002-03. The motion carried by the following vote:

Ayes: Council Members – Beckman, Howard, Land, and Mayor Hansen

Noes: Council Members – None

Absent: Council Members – Hitchcock

- I-2 “Continued discussion regarding draft fiscal year 2004-05 Financial Plan and Budget”

Deputy City Manager Keeter reviewed the budget calendar as follows:

- May 19 – the City Manager’s Budget Advisory Committee and City Manager discussed Phase 3 budget adjustment recommendations;

- June 2 – the draft budget document was released to the Council and public, following which a series of Shirtsleeve Sessions were held;
- June 8 and June 15 – discussions took place regarding the structural imbalance;
- June 22 – reviewed adjustments to all funds, structural deficit, options for curing the \$1.3 million budget deficit, and fund balances; and
- June 29 – enterprise fund budgets, transit fund, benefits funds, self insurance fund, vehicle & equipment fund, and trust & agency fund were discussed.

Finance Director Krueger reviewed Exhibit E, pages 1, 2, 3, 4, and 5 of the draft 2004-05 2nd Year of Two Year Financial Plan and Budget (filed) and presented the following information:

Operating Transfers In

- Operating transfers-in is \$4,310,167; the amount adopted last year was \$4,724,167; the difference relates to positions, some of which have been transferred from the Finance Department to the Electric Utility Department;
- Of the total budget for the General Fund, there are \$9 million worth of service related budgeted expenditures;
- In reference to the \$3.7 million transferred from the Capital Outlay Fund to the General Fund, Mr. Krueger stated that these are monies that are reserves of the Capital Outlay Fund and most transfers made from Capital Outlay to the General Fund in past years are being transferred back to the General Fund;
- \$985,000 transfer to the General Fund from the Street Fund was to cover operations of the Street Division and comes from Transportation Funds; and
- \$426,277 Engineering costs transfer has an identical transfer out of the Street Fund to the General Fund.

Operating Transfers Out

- \$3,624,498 transfer to the Benefits Fund for benefits paid to employees; and
- \$1,628,000 transfer to the Insurance Fund is to pay for premiums and increase reserves.

Library Fund

- Transfers relate to payment of medical, dental, and vision benefits.

Transportation Development Act Fund

- TDA transfers are for costs of services.

In response to Mayor Hansen, Mr. Krueger stated that under the Police Special Revenue Fund there will be an asset seizure transfer for the recent purchase of handguns.

Water & Wastewater Funds

- \$685,000 is transferred out of the Water Fund and \$665,000 is transferred out of the Wastewater Fund to the General Fund to pay for services being provided, and the balance of the transfers relates primarily to benefits and insurance funds;

Electric Fund

- \$2,373,048 is transferred out to pay for cost of services, benefits, and insurance;
- The scheduled transfer of \$350,000 was backed out.

Council Member Land referenced the transfer out from the Electric Fund for Information System personnel cost and asked Mr. Krueger if he was comfortable with the number (\$131,500).

Mr. Krueger replied that he had not reviewed the cost allocation plan in detail; however, he stated that it seems to be reasonable in that there are two positions that it is funding.

In summary to his report, Mr. Krueger stated that the total transfers in and out for all funds is \$18,135,000.

Deputy City Manager Keeter stated that all of the changes recommended in Phases 1, 2, and 3 have been incorporated in the budget adjustments listed on Exhibit F.

Significant Expenditure Requests

Ms. Keeter noted that Council received a "blue sheet" regarding significant expenditure requests (filed). In 2003-04, it was tentatively approved to reclassify a Management Analyst II to III; however, that request has been denied for 2004-05. The request to hire a High Tech Crime Investigator has also been denied.

Council Member Land stated that identity theft is an important issue and felt that the position of a High Tech Crime Investigator was needed.

City Manager Flynn replied that there is a possibility of converting an existing position to a High Tech Crime Investigator.

Council Member Howard also felt that the need for the position was compelling and believed that the matter should be pursued while the matching funds grant program through the state was still being offered.

Police Chief Adams explained that to qualify for the matching program, one position would have to be added. He expressed concern about the possibility of being successful in obtaining the grant funds considering the current budget condition of the state. He was not in favor of converting an existing position to a High Tech Crime Investigator, due to the loss that would be incurred in the area that would be decreased by one position.

Mayor Hansen asked that research be done to ascertain if the grant is still available and report back to Council.

Ms. Keeter reported that the Fire Department had requested to be relocated back to the old public safety building; however, the request has been denied.

Mayor Hansen requested that a progress report be presented to Council at the first regularly scheduled meeting in August regarding potential tenants for the office space at the parking structure.

Ms. Keeter reported that the request to hire one additional firefighter was denied and the paramedic program is recommended to be deferred at this time.

Mayor Hansen asked how the deferral of the paramedic program would impact the position that was previously added to coordinate the program.

City Manager Flynn reported that the EMS Coordinator is still working on developing a program. He noted that it was a contract position and acknowledged that it should be reviewed.

RECESS

At 8:39 p.m., Mayor Hansen called for a recess, and the City Council meeting reconvened at 8:49 p.m.

I. REGULAR CALENDAR (Continued)

I-2 City Manager Flynn reported that overall, \$1,037,318 worth of requests were denied and (Cont'd.) only \$223,000 new requests are being recommended for approval. He stated that the budget can be balanced this year and next year with the recommendations presented; however, he cautioned that there is a structural deficit. He pointed out that the \$506,845 request for the paramedic program is only for phase 1 of 3. Eventually it could cost up to \$1.5 million per year. A private company currently provides this service to the community and there have not been a lot of complaints. He suggested that if the paramedic program were to proceed, there would have to be additional revenues. He also noted that funding the General Plan update will have to be considered next year.

Ms. Keeter reported that the \$48,000 Fire Department performance incentive bonus, \$41,000 increase in the Fire dispatching contract, and \$42,725 to hire a Public Works Maintenance Worker has been approved by Council and incorporated in the 2004-05 budget. The negative \$45,000 in Electric Utility is a correction from the previous budget, where a position had been incorporated with a Capital request for equipment. It is recommended that the Customer Services Manager position be converted to a full-time permanent position. She noted that there would be no net increase to the budget, because the position is funded through the public benefits program.

Ms. Keeter stated that the traffic monitor replacement equipment for \$17,500 is recommended for approval. The Parks Division office is currently located in a trailer and it is recommended that they be relocated to the recreation annex building at an estimated cost of \$16,000. The cost of County election services has increased and it is recommended that an additional \$62,350 be approved to cover the cost of the November 2, 2004 General Municipal Election. Approval of \$100,000 in additional general liability is recommended, as well as a reduction of \$230,000 in Workers Compensation. The Finance Department has requested that a vacant Accountant I position be reclassified to a Management Analyst position. Ms. Keeter stated that it would not result in an additional cost for 2004-05; however, adjustments would be made in future years.

In reference to staffing listed on a "blue sheet" entitled *Regular Positions by Department* (filed), Ms. Keeter reported that it is recommended to delete the position of Economic Development Coordinator and collapse the duties into the Departments of the City Manager and Community Development. On Exhibit G, page 1 of the draft budget, it is recommended that the position of Customer Service & Program Manager be added. Field Service Representatives have increased by three positions and Field Services Supervisor has increased one position. The Finance Department decreased Field Service Representative by three positions, Field Services Supervisor by one position, and Meter Reader by three positions. Accountant I/II was decreased by one position, and the new position of Management Analyst was increased by one.

In answer to Mayor Pro Tempore Beckman, Mr. Krueger explained that Management Analyst is more of a general position, where Accountant I/II is specific to preparation of financial statements, etc. He hoped to have the Management Analyst assist with budget preparation.

In reference to Exhibit G, page 3 of the draft budget, Ms. Keeter stated that it is *not* recommended to hire an additional firefighter or to institute the paramedic program.

Mayor Hansen asked whether or not hiring the additional firefighter would affect the downtown fire station and staffing of the engine. City Manager Flynn stated that he would check into the matter and report back to Council.

Ms. Keeter reported that one new Laborer/Maintenance Worker has been added in the Water/Wastewater Division. Overall the number of total regular positions in the City has increased from 480 in 2003-04 to 481 in 2004-05.

Mayor Hansen noted that a lot of new positions were added over the years and he felt that the City ought to be able to absorb the losses without a significant reduction in services. He suggested this be done by focusing on core services, streamlining, redefining positions, and assigning staff to functions that are of highest concern to the public.

Ms. Keeter stated that the priority list has been updated to include the structural deficit, medical and retirement benefits issues, the general plan update, and Police outdoor firing range.

MOTION / VOTE:

There was no Council action taken on this matter.

J. ORDINANCES

None.

K. COMMENTS BY CITY COUNCIL MEMBERS ON NON-AGENDA ITEMS

- Council Member Howard stated that on July 2 she attended the Montessori Villa preschool, at which Comcast and Lowe's donated playground and garden equipment to replace items that had recently been stolen. She acknowledged Terry Goodbeer, Comcast Sales & Marketing Manager, Marian Jackson, Comcast Director of Government Affairs, Dawn Whitley, Administrator of Montessori Villa, and Shelley Tarditi, Owner and Director of Montessori Villa.
- Mayor Hansen stated that he would like to have a certificate of appreciation presented to the firm of Kronick Moskovitz Tiedemann & Girard at a future meeting.

L. COMMENTS BY THE CITY MANAGER ON NON-AGENDA ITEMS

- City Manager Flynn announced that July 14 was Steve Mann's birthday. He reported that the San Joaquin County Registrar of Voters certified the Large-Scale Retail Initiative as sufficient. Mr. Flynn stated that at the first regularly scheduled meeting in August he would be submitting his letter of resignation effective in December with his last day of work being October 1.

(NOTE: At the July 12, 2004, Special Closed Session meeting, City Manager Flynn submitted his resignation effective December 3, 2004, with his last day of work being September 3, 2004.)

M. ADJOURNMENT

There being no further business to come before the City Council, the meeting was adjourned at 9:19 p.m.

ATTEST:

Susan J. Blackston
City Clerk

**LODI CITY COUNCIL
SPECIAL CITY COUNCIL MEETING
CARNEGIE FORUM, 305 WEST PINE STREET
MONDAY, JULY 12, 2004**

A. CALL TO ORDER / ROLL CALL

The Special City Council meeting of July 12, 2004, was called to order by Mayor Hansen at 5:33 p.m.

Present: Council Members – Beckman, Hitchcock, Howard, Land, and Mayor Hansen

Absent: Council Members – None

Also Present: City Manager Flynn (arrived at 6:30 p.m.), Interim City Attorney Schwabauer, and City Clerk Blackston

B. CLOSED SESSION

At 5:33 p.m., Mayor Hansen adjourned the Special City Council meeting to a Closed Session to discuss the following matter:

B-1 Review of Council Appointees – City Clerk and City Manager (Government Code §54957)

The Closed Session adjourned at 7:15 p.m.

C. RETURN TO OPEN SESSION / DISCLOSURE OF ACTION

At 7:15 p.m., Mayor Hansen reconvened the Special City Council meeting and disclosed that no reportable action was taken in closed session.

NOTE: City Manager Flynn submitted his resignation effective December 3, 2004 with his last day of work being September 3, 2004.

D. ADJOURNMENT

There being no further business to come before the City Council, the meeting was adjourned at 7:15 p.m.

ATTEST:

Susan J. Blackston
City Clerk



CITY OF LODI COUNCIL COMMUNICATION

AGENDA TITLE: Report of Sale of Surplus Equipment
MEETING DATE: July 21, 2004
PREPARED BY: Public Works Director

RECOMMENDED ACTION: None required. This report of the sale of surplus equipment is made in compliance with Section 3 of the Fleet Policies and Procedures.

BACKGROUND INFORMATION: During the second calendar quarter of 2004 the City sold the following surplus equipment through Nationwide Auctions of Benicia. The City received from the sale the following amount:

1988 Jacobsen Mower, VIN 0579S \$ 1,023

FUNDING: None required.
Revenue Received: \$ 1,023
Accounts Credited: 1201: \$ 1,023

Richard C. Prima, Jr.
Public Works Director

Prepared by Dennis J. Callahan, Fleet and Facilities Manager
RCP/DJC/njl

APPROVED: _____
H. Dixon Flynn, City Manager



CITY OF LODI COUNCIL COMMUNICATION

AGENDA TITLE: Authorize Advertisement for Transportation Services for the Junior Giants and Authorize Use of Buses Should No Alternate Provider Be Willing to Perform the Service

MEETING DATE: July 21, 2004

PREPARED BY: Public Works Director

RECOMMENDED ACTION: That the City Council authorize advertisement for transportation services for the Junior Giants on August 7, 2004, and authorize the use of buses should no alternate provider be willing to perform the service.

BACKGROUND INFORMATION: The Junior Giants are sponsored by the SF Giants (SF Community Fund) which has been in business for ten years now. This program, "The Junior Giants", was established by the SF Giants to give children ages 5 to 18 an opportunity to participate in a sports program. Most of the kids participating in the program are under privileged or low economic kids that can not afford to play any sport because of the cost of the parks and recreation programs. This program is also designed to teach kids not only the aspects of baseball but life skills as well. A copy of the email requesting the service is attached.

This all-day program would utilize three NABI (40-foot) buses for twelve hours to transport children to San Francisco. Staff feels that the Transit System can accommodate the request for buses on a Saturday, however, we feel that the City is not in a position to cover the cost.

FUNDING: Cost of \$1,800 to be covered by project sponsors.

Richard C. Prima, Jr.
Public Works Director

Prepared by Tiffani M. Fink, Transportation Manager

RCP/TMF/pmf

Attachment

cc: Transportation Manager
MV General Manager- Lodi

APPROVED: _____
H. Dixon Flynn, City Manager

Tiffani Fink

From: Reba Ridino
Sent: Tuesday, July 06, 2004 9:46 AM
To: Tiffani Fink
Cc: Reba Ridino
Subject: Donation of City of Lodi Buses for Field Trip to SF

Hi Tiffany: Per our conversation here is my request for a donation of the City of Lodi Grapeline buses (possibly 3 buses for 125 kids) on August 7th, 2004 at 7:00 a.m. to 7 p.m. Each year the SF Giants **REWARD the players of 65 leagues** with a free SF baseball game at Pac Bell Park. The kids get a free ticket to the game and a lunch provided by the SF Giants. Each league is responsible for their own transportation.

I am the commissioner for a baseball league called the Lodi Junior Giants. We are sponsored by the SF Giants (SF Community Fund) which has been in business for ten years now. This program "The Junior Giants" was established by the SF Giants to give children ages 5 to 18 an opportunity to participate in a sports program. Most of the kids the program is designed for are under privileged or low economic kids that can't afford to play any sport because of the cost of the parks and rec programs. This program is also designed to teach kids not only the aspects of baseball but life skills as well.

The SF Giants supply all of our equipment and our league only seeks donations for trophies and transportation to the yearly field trip to Pac Bell Park. This field trip is a Carlos Tobar initiated the donation of Grapeline buses in 1999. He was one of our coaches and he helped us transport our kids to SF each year. Last year someone else obtained LUSD buses for us but we were not advised that it was a \$1500.00 cost. I was shocked to learn about the charge and I eventually got the charge reversed.

I started this program for Lodi kids in 1999. Our program has grown and now we have 12 teams in our league. Our league is a valuable asset for Lodi and particularly the east side kids. We help these kids stay off the street and we teach them values and life skills during our baseball season.

We are in desperate need of your assistance with 3 Grapeline buses for our field trip. Our league, along with the City of Lodi, has an insurance policy in the amount of \$500,000 which would cover us for this field trip as well. We would also supply free tickets to 2 drivers per bus.

The City of Lodi is very conscious of programs that benefit "at risk children" and this would be a very beneficial donation to supply to our organization.

If you have any further questions about this please call my cell at 329-3484 or my desk at 333-6885. My co-commisioner John Whisler is available to speak to the City Council. His number is 333-6881.

Thanks, Commissioner/Detective Reba Ridino #21



CITY OF LODI

COUNCIL COMMUNICATION

TM

AGENDA TITLE: Adopt a resolution approving specifications and authorizing advertisement for bids for low-voltage fuses, fuse holders and wire, and authorizing the City Manager to award the bid up to \$40,000 (EUD)

MEETING DATE: July 21, 2004

PREPARED BY: Electric Utility Director

RECOMMENDED ACTION: That the City Council adopt a resolution approving the specifications and authorizing advertisement for bids for various sizes of low-voltage fuses, fuse holders and wire for the Electric Utility Department, and authorizing the City Manager to award the bid up to \$40,000.

BACKGROUND INFORMATION: The Electric Utility Department recently changed the specifications for streetlighting systems. The new specifications require protection, in the form of fuses and new wiring, to be installed at each streetlight. The main benefit derived from fusing is the increase in safety to the general public.

Fuses will also increase the reliability of the system, especially on circuits having multiple lights, and will improve staff's ability to troubleshoot problems. The material listed below will be used to complete the first phase, and to provide materials for the second phase of the retrofit project.

<u>Fuses</u>	<u>Quantity</u>	<u>Wire</u>	<u>Quantity</u>
3A 600VAC Fast-Acting	1000 ea	#12 Black THWN	24,500 ft
5A 600VAC Fast-Acting	200 ea	#12 Red THWN	24,500 ft
7½-8A 600VAC F-Acting	100 ea	#12 Green THWN	67,500 ft
10A 600VAC Fast-Acting	50 ea	#12 White THWN	2,500 ft
15A 600VAC Fast-Acting	50 ea	#8 Black THWN	23,000 ft
20A 600VAC Fast-Acting	50 ea	#8 Red THWN	23,000 ft
30A 600VAC Fast-Acting	50 ea	#8 Green THWN	33,000 ft
		#8 White THWN	2,500 ft
<u>Insulating Boots</u>		<u>Fuse holders</u>	
Insulating Boot 1-line #2A0660	2000 ea	CooperBussman Holder HEB-JJ	1000 ea
Insulating Boot 2-line #2A0661	1000 ea		

BID OPENING August 4, 2004

FUNDING: Electric Utility Department 2003-2005 Financial Plan and Budget,
Account 161633 Estimated Cost: \$40,000

James R Krueger, Finance Director

Alan N Vallow, Electric Utility Director

Attachment: Specifications
Prepared by Joel Harris, Purchasing Officer
cc: Manager, EUD Engineering and Operations

APPROVED: _____
H. Dixon Flynn, City Manager

Equipment Specifications
July, 2004

I. FUSES

600VAC, Fast-Acting

10.3mm x 38.1mm

Interrupting Rating 100,000A

UL Listed

Bussman Limitron and Littelfuse Part Numbers listed herein have been approved for use in the Lodi Electric System. Other approved equals may be offered by bidder.

Rating (Amps)	Bussman Limitron Part No.	Littelfuse Part No.	Bid Qty
3	KTK-3	KLK003	1000
5	KTK-5	KLK005	200
7.5 – 8	KTK-7.5	KLK008	100
10	KTK-10	KLK010	50
15	KTK-15	KLK015	50
20	KTK-20	KLK020	50
30	KTK-30	KLK030	50

II. FUSE HOLDERS & INSULATING BOOTS

CooperBussman in the sole approved manufacturer for the following items:

1. Tron® In-Line Non-Breakaway Fuseholder, **#HEB-JJ**
Load Terminal: #12 to #3 wire size, 1 wire, copper set screw
Line Terminal: #12 to #3 wire size, 1 wire, copper set screw

Bid Quantity: 1000

2. Insulating boot for in-line fuse holder:
#2A0660 Single Conductor

Bid Quantity: 2000

#2A0661 Two Conductor

Bid Quantity: 1000

III. WIRE

#12 Stranded Copper Wire, THWN or THWN-2 insulation, delivered on 500-foot reels

Colors: Black
Bid Quantity: 24,500 feet

Red
Bid Quantity: 24,500 feet

Green
Bid Quantity: 67,500 feet

White
Bid Quantity: 2,500 feet

#8 Stranded Copper Wire, THWN or THWN-2 insulation, delivered on 500-foot reels

Colors: Black
Bid Quantity: 23,000 feet

Red
Bid Quantity: 23,000 feet

Green
Bid Quantity: 33,000 feet

White
Bid Quantity: 2,500 feet

RESOLUTION NO. 2004-_____

A RESOLUTION OF THE LODI CITY COUNCIL APPROVING
SPECIFICATIONS AND AUTHORIZING ADVERTISEMENT FOR
BIDS FOR LOW-VOLTAGE FUSES, FUSE HOLDERS AND
WIRE, AND FURTHER AUTHORIZING THE CITY MANAGER TO
AWARD THE BID UP TO \$40,000

WHEREAS, the Electric Utility Department recently changed the specifications for street lighting systems; and

WHEREAS, the new specifications require protection in the form of fuses to be installed at each streetlight; and

WHEREAS, these fuses will increase the reliability of the system, especially on circuits having multiple lights, and will improve staff's ability to troubleshoot problems. The material listed below will be used to complete the first phase and provide materials for the second phase of the retrofit project:

<u>Fuses</u>	<u>Quantity</u>	<u>Wire</u>	<u>Quantity</u>
3A 600VAC Fast-Acting	1000 ea	#12 Black THWN	24,500 ft
5A 600VAC Fast-Acting	200 ea	#12 Red THWN	24,500 ft
7½-8A 600VAC F-Acting	100 ea	#12 Green THWN	67,500 ft
10A 600VAC Fast-Acting	50 ea	#12 White THWN	2,500 ft
15A 600VAC Fast-Acting	50 ea	#8 Black THWN	23,000 ft
20A 600VAC Fast-Acting	50 ea	#8 Red THWN	23,000 ft
30A 600VAC Fast-Acting	50 ea	#8 Green THWN	33,000 ft
		#8 White THWN	2,500 ft
<u>Insulating Boots</u>		<u>Fuse holders</u>	
Insulating Boot 1-line #2A0660	2000 ea	CooperBussman Holder HEB-JJ	1000 ea
Insulating Boot 2-line #2A0661	1000 ea		

WHEREAS, staff recommends approval of the specifications and authorizing advertisement for bids for low-voltage fuses, fuse holders and wire, and further recommends that the City Manager be authorized to award the bid up to \$40,000.

NOW, THEREFORE, BE IT RESOLVED that the Lodi City Council does hereby approve the specifications and authorizes advertisement for bids for low-voltage fuses, fuse holders and wire; and

BE IT FURTHER RESOLVED that the City Council hereby authorizes the City Manager to award the bid for low-voltage fuses, fuse holders and wire in an amount up to \$40,000.

Dated: July 21, 2004

I hereby certify that Resolution No. 2004-_____ was passed and adopted by the City Council of the City of Lodi in a regular meeting held July 21, 2004, by the following vote:

AYES: COUNCIL MEMBERS –

NOES: COUNCIL MEMBERS –

ABSENT: COUNCIL MEMBERS –

ABSTAIN: COUNCIL MEMBERS –

SUSAN J. BLACKSTON
City Clerk

2004-_____



CITY OF LODI

COUNCIL COMMUNICATION

AGENDA TITLE: Adopt Resolution Authorizing the Purchase of Software for the Public Works Fleet Services Division from Ron Turley Associates, Inc., of Phoenix, Arizona (\$14,535)

MEETING DATE: July 21, 2004

PREPARED BY: Public Works Director

RECOMMENDED ACTION: That the City Council adopt a resolution authorizing the purchase of fleet management software for the Public Works Fleet Services Division from Ron Turley Associates, Inc., of Phoenix, Arizona.

BACKGROUND INFORMATION: The Fleet Services Division has utilized a fleet management software called EMS (Equipment Management System)/Fleet Anywhere since 1992. The software utilizes a DOS-based system that is no longer produced, or supported, by the company. While the company has changed ownership multiple times and gone through several generations of expensive upgrades, the City has avoided the cost to migrate to a new or updated system. Unfortunately, to stay with the same company, the cost to convert/upgrade would now be in excess of \$45,000.

As alternatives, the Fleet Division, along with input from the Information Systems Division, has evaluated both creating our own software platform in-house or buying another "packaged" system. By recommendation of the Information Systems Manager, we utilized an outside consultant (former ISD Manager Stan Helmle) to further explore both options. It is our mutual recommendation, and that of the consultant, that we purchase a packaged system that specializes in fleet administration.

After reviewing the various fleet software packages for features, capabilities, and cost, we recommend the purchase of the Ron Turley Associates, Inc., (RTA) Fleet Management System. The system will manage vehicles, fueling, work orders, tires, parts, and bar coding. It includes technical support, upgrades and enhancements, user group membership for the first year, a system training class for two staff, and installation guides/users manuals, network license, barcode readers, data conversion, and electronic fuel interface to work with the City's existing fuel systems. The total package cost is \$14,535. In addition, the annual support/maintenance costs (after the first year) are only 10% of the purchase price, less than most software support fees, and significantly below what we currently pay.

FUNDING: Pending approval of 04/05 budget, funding is from the Fleet Maintenance operating budget (General Fund), approximately half of which is recouped through cost of service allocations to Transit, Water, Wastewater, and Electric Utility.

Richard C. Prima, Jr.
Public Works Director

Prepared by Dennis J. Callahan, Fleet and Facilities Manager
RCP/DJC/njl
cc: Fleet Services Supervisor
Transportation Manager

Information Systems Manager
Electric Utility Director

APPROVED: _____
H. Dixon Flynn, City Manager

RESOLUTION NO. 2004-_____

A RESOLUTION OF THE LODI CITY COUNCIL
AUTHORIZING PURCHASE OF SOFTWARE FOR THE
PUBLIC WORKS FLEET SERVICES DIVISION

=====

WHEREAS, Lodi Municipal Code §3.20.070 authorizes dispensing with bids for purchases of supplies, services, or equipment when it is in the best interest of the City to do so; and

WHEREAS, the Fleet Services Division has utilized fleet management software called Equipment Management System since 1992. The software utilizes a DOS-based system that is no longer produced, or supported, by the company; and

WHEREAS, seeking alternatives, the Fleet Division, along with input from the Information Systems Division, has evaluated both creating our own software platform in-house or buying another "packaged" system. By recommendation of the Information Systems Manager, we utilized an outside consultant (former ISD Manager Stan Helmle) to further explore both options. It is our mutual recommendation, and that of the consultant, that we purchase a packaged system that specializes in fleet administration; and

WHEREAS, after reviewing the various fleet software packages for features, capabilities, and cost, we recommend the purchase of the Ron Turley Associates, Inc., (RTA) Fleet Management System. The system will manage vehicles, fueling, work orders, tires, parts, and bar coding. It includes technical support, upgrades and enhancements, user group membership for the first year, a system training class for two staff, and installation guides/users manuals, network license, barcode readers, data conversion, and electronic fuel interface to work with the City's existing fuel systems. The total package cost is \$14,535. In addition, the annual support/maintenance costs (after the first year) are only 10% of the purchase price, less than most software support fees, and significantly below what we currently pay.

WHEREAS, staff recommends that the City Council authorize the purchase of Fleet Management Software for the Public Works Fleet Services Division from Ron Turley Associates, Inc., of Phoenix, Arizona in the amount of \$14,535.

NOW, THEREFORE, BE IT RESOLVED that the Lodi City Council does hereby approve the purchase of Fleet Management Software for the Public Works Fleet Services Division from Ron Turley Associates, Inc., of Phoenix, Arizona in the amount of \$14,535.

Dated: July 21, 2004

=====

I hereby certify that Resolution No. 2004-_____ was passed and adopted by the Lodi City Council in a regular meeting held July 21, 2004, by the following vote:

AYES: COUNCIL MEMBERS –
NOES: COUNCIL MEMBERS –
ABSENT: COUNCIL MEMBERS –
ABSTAIN: COUNCIL MEMBERS –

SUSAN J. BLACKSTON
City Clerk

2004-_____



CITY OF LODI COUNCIL COMMUNICATION

AGENDA TITLE: Accept Improvements Under Contract for Well 10C Site Improvements,
790 North Guild Avenue

MEETING DATE: July 21, 2004

PREPARED BY: Public Works Director

RECOMMENDED ACTION: That the City Council accept the improvements under the "Well 10C Site Improvements, 790 North Guild Avenue" contract.

BACKGROUND INFORMATION: The project was awarded to A.M. Stephens Construction Company, of Lodi, on February 24, 2004, in the amount of \$48,183. The contract has been completed in substantial conformance with the plans and specifications approved by the City Council.

The final contract price was the same as the original contract price, \$48,183.

Following acceptance by the City Council, the City Engineer will file a Notice of Completion with the County Recorder's office.

FUNDING: Budgeted Fund: Water Capital Fund
Contract Amount: \$48,183

Richard C. Prima, Jr.
Public Works Director

Prepared by Wesley K. Fujitani, Senior Civil Engineer

RCP/WKF/pmf

cc: Joel Harris, Purchasing Officer
Frank Beeler, Assistant Water Superintendent
Lyman Chang, Associate Civil Engineer

APPROVED: _____
H. Dixon Flynn, City Manager



CITY OF LODI COUNCIL COMMUNICATION

AGENDA TITLE: Accept Improvements Under Contract for Main Street Storm Drain Improvement Project (Lodi Avenue to Flora Street)

MEETING DATE: July 21, 2004

PREPARED BY: Public Works Director

RECOMMENDED ACTION: That the City Council accept the improvements under the "Main Street Storm Drain Improvement Project (Lodi Avenue to Flora Street)" contract.

BACKGROUND INFORMATION: The project was awarded to Crutchfield Construction Company, of Stockton, on December 23, 2003, in the amount of \$158,583.00. The contract has been completed in substantial conformance with the plans and specifications approved by the City Council.

The final contract price was \$169,873.87. The difference between the contract amount and the final contract price is mainly due to design changes which had to be made because of conflicts with existing utilities. Additional contract change order work was done to correct bad pavement areas in and around the new storm drain trench.

Following acceptance by the City Council, the City Engineer will file a Notice of Completion with the County Recorder's office.

FUNDING: Budgeted Fund: Wastewater Fund
Contract Amount: \$169,873.87

Richard C. Prima, Jr.
Public Works Director

Prepared by Wesley Fujitani, Senior Civil Engineer
RCP/WKF/pmf

cc: Joel Harris, Purchasing Officer
George Bradley, Street Superintendent
Charlie Swimley, Senior Civil Engineer

APPROVED: _____
H. Dixon Flynn, City Manager



CITY OF LODI COUNCIL COMMUNICATION

AGENDA TITLE: Adopt a resolution authorizing the City Manager to allocate Public Benefit Program funds to extend, for one year, the *Lodi Small Business Energy Services Partnership* (\$25,000)(EUD)

MEETING DATE: July 21, 2004

PREPARED BY: Electric Utility Director

RECOMMENDED ACTION: That the City Council adopt a resolution authorizing the City Manager to allocate \$25,000 in Public Benefit Program funds to extend for one year, the *Lodi Small Business Energy Services Partnership*.

BACKGROUND INFORMATION: Since 1999, the City of Lodi has been providing energy efficiency rebates for small business owners/managers. The *Lodi Small Business Energy Services Partnership* provides dollar-for-dollar rebates of up to \$250 for the purchase and installation of any/all of the following energy conservation & efficiency improvements:

- ceiling fans;
- attic ventilators;
- weather-stripping;
- attic and/or wall insulation;
- air duct replacements or repairs;
- window tinting, shade screens, and/or awning covers;
- HVAC/refrigeration (such as a one-time diagnostic and preventative maintenance service for each HVAC unit and/or refrigeration system).

In addition, eligible customers may receive a rebate of 15 percent or \$750 (whichever is **less**), for installing high efficiency mechanical systems (air conditioning upgrades), an approved white, sun-reflective roof coating product, or a lighting improvement or retrofit.

Participating customers must be on the published G-1 or G-2 electric rate schedule, current on all City of Lodi utility charges, and consent to a potential pre- and post-inspection. The program is available to a maximum of seven (7) customers per month, and the program will be offered until funds are exhausted. During the fiscal year just completed, fifty small businesses participated in the *Lodi Small Business Energy Services Partnership*, and since the program's inception back in 1999, the City of Lodi has provided rebates to nearly 475 small businesses. The average energy savings that can be achieved is 5 percent to 25 percent annually, depending upon the energy efficiency measure(s) installed.

APPROVED: _____
H. Dixon Flynn, City Manager

City of Lodi Electric Utility staff respectfully recommends approval of this item as a qualifying component of the City of Lodi Public Benefits Program.

FUNDING: 164605 – Public Benefits Program fund (Category: Demand-side Management)

Funding Approval: _____
Jim Krueger, Finance Director

Alan N. Vallow
Electric Utility Director

PREPARED BY: Rob Lechner, Manager of Customer Service & Programs

ANV/mdw

RESOLUTION NO. 2004-_____

A RESOLUTION OF THE LODI CITY COUNCIL AUTHORIZING
THE CITY MANAGER TO PROVIDE A PUBLIC BENEFITS
PROGRAM GRANT IN THE AMOUNT OF \$25,000 TO EXTEND
THE LODI SMALL BUSINESS ENERGY SERVICES
PARTNERSHIP PROGRAM

=====

WHEREAS, the state has mandated that beginning January 1, 1998, the City of Lodi is obligated to fund various programs through a Public Benefits Charge (PBC) based on a historical electric revenue requirement; and

WHEREAS, the requirement amounts to approximately \$1M per year that must be dedicated to qualifying programs such as energy efficiency. A further stipulation is that these efforts must be done on the customer's side of the meter in order to qualify; and

WHEREAS, the City of Lodi's Public Benefits Program is comprised of four segments or customer groups: commercial/industrial, residential, community/non-profit, and municipal; and

WHEREAS, since 1999, the City of Lodi has been providing energy efficiency rebates for small business owners/managers. The *Lodi Small Business Energy Services Partnership* provides dollar-for-dollar rebates of up to \$250 for the purchase and installation of any/all of the following energy conservation & efficiency improvements:

- ceiling fans;
- attic ventilators;
- weather-stripping;
- attic and/or wall insulation;
- air duct replacements or repairs;
- window tinting, shade screens, and/or awning covers;
- HVAC/refrigeration (such as a one-time diagnostic and preventative maintenance service for each HVAC unit and/or refrigeration system); and

WHEREAS, in addition, eligible customers may receive a rebate of 15 percent or \$750 (whichever is **less**), for installing high efficiency mechanical systems (air conditioning upgrades), an approved white, sun-reflective roof coating product, or a lighting improvement or retrofit; and

WHEREAS, participating customers must be on the published G-1 or G-2 electric rate schedule, current on all City of Lodi utility charges, and consent to a potential pre- and post-inspection. The program is available to a maximum of seven (7) customers per month, and the program will be offered until funds are exhausted; and

WHEREAS, during the fiscal year just completed, fifty small businesses participated in the *Lodi Small Business Energy Services Partnership*, and since the program's inception back in 1999, the City of Lodi has provided rebates to nearly 475 small businesses. The average energy savings that can be achieved is 5 percent to 25 percent annually, depending upon the energy efficiency measure(s) installed.

WHEREAS, the Electric Utility Department recommends providing the Public Benefit Program funds in the amount of \$25,000 extending the Lodi Small Business Energy Services Partnership and continuing until designated funds are exhausted.

NOW, THEREFORE, BE IT RESOLVED that the Lodi City Council hereby authorizes the City Manager to provide a Public Benefits Program funds in the amount of \$25,000 to extend the Lodi Small Business Energy Services Partnership Program, and continuing until designated funds are exhausted.

Dated: July 21, 2004

=====

I hereby certify that Resolution No. 2004-_____ was passed and adopted by the Lodi City Council in a regular meeting held July 21, 2004, by the following vote:

AYES: COUNCIL MEMBERS –

NOES: COUNCIL MEMBERS –

ABSENT: COUNCIL MEMBERS –

ABSTAIN: COUNCIL MEMBERS –

SUSAN J. BLACKSTON
City Clerk

2004-_____



CITY OF LODI COUNCIL COMMUNICATION

AGENDA TITLE: Set Public Hearing for August 4, 2004 to consider the Planning Commission's recommendation of approval of the request of KB Home for a Rezone from R-MD, Residential Medium Density to PD(36), Planned Development Number 36 for the "Villas," an 80-lot medium density single-family residential subdivision located at 449 East Harney Lane.

MEETING DATE: July 21, 2004

PREPARED BY: Associate Planner, Mark Meissner

RECOMMENDED ACTION: Set Public Hearing for August 4, 2004 to consider the Planning Commission's recommendation of approval of the request of KB Home for a Rezone from R-MD, Residential Medium Density to PD(36), Planned Development Number 36 for the "Villas," an 80-lot medium density single-family residential subdivision located at 449 East Harney Lane.

FUNDING: None

A handwritten signature in black ink, appearing to read "KB", written over a horizontal line.

Konradt Bartlam
Community Development Director

KB/MM/lw

APPROVED: _____
H. Dixon Flynn, City Manager

Comments by the public on non-agenda items

THE TIME ALLOWED PER NON-AGENDA ITEM FOR COMMENTS MADE BY THE PUBLIC IS LIMITED TO FIVE MINUTES.

The City Council cannot deliberate or take any action on a non-agenda item unless there is factual evidence presented to the City Council indicating that the subject brought up by the public does fall into one of the exceptions under Government Code Section 54954.2 in that (a) there is an emergency situation, or (b) the need to take action on the item arose subsequent to the agenda's being posted.

Unless the City Council is presented with this factual evidence, the City Council will refer the matter for review and placement on a future City Council agenda.



CITY OF LODI COUNCIL COMMUNICATION

AGENDA TITLE: Continue public hearing to September 15, 2004 to consider an appeal received from Key Advertising, Inc., regarding the Planning Commission's decision to deny the request of Key Advertising for a Use Permit to allow a 75-foot-high electronic display sign and a Variance to double the maximum allowable sign area from 480 square feet to 960 square feet to be located at 1251 South Beckman Road

MEETING DATE: July 21, 2004

PREPARED BY: Community Development Director

RECOMMENDED ACTION: That the City Council continue until September 15, 2004, the request of Key Advertising, Inc., regarding the Planning Commission's decision to deny the request of Key Advertising for a Use Permit to allow a 75-foot-high electronic display sign and a Variance to double the maximum allowable sign area from 480 square feet to 960 square feet to be located at 1251 South Beckman Road.

BACKGROUND INFORMATION: At the City Council meeting on April 21, 2004, the City Council continued this matter in order to prepare a Development Agreement to accommodate the appellant's request. A draft of the Development Agreement was submitted to the City by the appellant's counsel on May 5, 2004. The Community Development Director and City Attorney have reviewed the document and are working with Key Advertising on changes to provide an agreement that will meet Council expectations.

It is expected that this process may take an additional six weeks. Therefore, we are recommending a continuance of this appeal request until September 15, 2004.

FUNDING: None

Konradt Bartlam
Community Development Director

KB/lw

cc: City Attorney

APPROVED: _____
H. Dixon Flynn, City Manager

G-REM, INC.
DEVELOPMENT, CONSTRUCTION, MANAGEMENT

RECEIVED
2004 JUN 29 PM 12:43
CITY CLERK
CITY OF LODI

June 29, 2004

Ms. Susan Blackston,
City Clerk
City of Lodi
City Hall 221 West Pine Street
Lodi, CA 95240

RE: 1251 South Beckman Road - Key Advertising L.E.D. pylon sign appeal


Dear Susan:

This letter shall serve as our request, on behalf of Key Advertising, to continue the appeal hearing for the above-captioned matter from July 21, 2004 to a later date.

We have recently received comments from City Staff regarding the Development Agreement. When I return from vacation next week, we will be meeting with our counsel to review the Staff's comments. I don't believe we can respond quick enough to stay on the July 21st agenda.

Thank you in advance for your cooperation, and please contact me after July 5 if there are any questions.

Sincerely,



Dale N. Gillespie
G-REM, Inc.
P.O. Box 1210
Lodi, CA 95241-1210

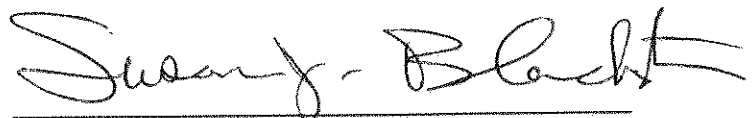
NOTICE OF RE-CONTINUED PUBLIC HEARING

CITY COUNCIL

CITY OF LODI

NOTICE IS HEREBY GIVEN that the April 7, 2004 public hearing of the City Council of the City of Lodi to consider an appeal received from Key Advertising, Inc., regarding the Planning Commission's decision to deny the request of Key Advertising for a Use Permit to allow a 75-foot-high electronic display sign and a Variance to double the maximum allowable sign area from 480 square feet to 960 square feet to be located at 1251 South Beckman Road was continued to April 21, 2004, re-continued to June 2, 2004, and **re-continued to July 21, 2004 at the hour of 7:00 p.m.** in the Council Chamber, Carnegie Forum, 305 W. Pine Street, Lodi, California.

Posted June 3, 2004



SUSAN J. BLACKSTON
CITY CLERK
Of the City of Lodi



CITY OF LODI COUNCIL COMMUNICATION

AGENDA TITLE: Public Hearing to Consider Resolution Adopting the Amended Impact Mitigation Fee for Streets and Roads and Amended Exhibits I and J of the Development Impact Fee Update Study, October 2001

MEETING DATE: July 21, 2004

PREPARED BY: Public Works Director

RECOMMENDED ACTION: That the City Council conduct a public hearing to consider a resolution adopting the amended Impact Mitigation Fee for Streets and Roads and amended Exhibits I and J of the Development Impact Fee Update Study, October 2001.

BACKGROUND INFORMATION: City Council adopted Resolution 2001-242 amending Development Impact Mitigation Fees for all developments within the City on October 17, 2001. The report, "Development Impact Fee Update Study", prepared by Harris & Associates, was benchmarked to June 30, 1999 for determining future IMF program capital expenditures. The fees set by Resolution 2001-242 included an adjustment to January 1, 2001 using the ENR Twenty Cities Construction Cost Index. Subsequently, all IMF fees have been adjusted using that ENR index on January 1, 2002, January 1, 2003, and January 1, 2004.

In the report, "Development Impact Fee Update Study", one facility cost in the Streets and Road category was inadvertently excluded from the listing of program costs shown in Exhibit I of the report. The program cost not included was the fair share cost assigned to new development for street and road facilities constructed prior to 1991 with excess capacity to serve new development. The revised Exhibit I is attached and the added facility cost is shown in bold on Page 3.

As of June 30, 1999, the total cost of all street and road facility projects should have been \$20,393,443. Subtracting from that the fund balance on June 30, 1999 of \$1,937,111 leaves a Streets and Road funding requirement of \$18,456,332. Therefore, the calculation of the updated fee should have set the base fee for low density residential development at \$8,139 per acre of development, an increase of 6.85%. The suite of Streets and Road Fees (as of June 30, 1999) is provided in revised Exhibit J of the report, "Development Impact Fee Update Study" and serves to amend the report. Exhibit One presents the listing of Streets and Road Fees for the Council to adopt by resolution that have been adjusted using the ENR index for the period of June 30, 1999 to January 1, 2004.

FUNDING: Not applicable.

Richard C. Prima, Jr.
Public Works Director

Prepared by F. Wally Sandelin, City Engineer
RCP/FWS/pmf
Attachments

APPROVED: _____
H. Dixon Flynn, City Manager

RESOLUTION NO. 2004-_____

A RESOLUTION OF THE LODI CITY COUNCIL ADOPTING AMENDED
IMPACT MITIGATION FEE FOR STREETS AND ROADS, EXHIBIT ONE,
AND AMENDED EXHIBITS I AND J OF THE DEVELOPMENT IMPACT FEE
UPDATE STUDY, OCTOBER 2001

=====

WHEREAS, the City Council adopted Resolution 2001-242 amending Development Impact Mitigation Fees for all developments within the City on October 17, 2001. The report, "Development Impact Fee Update Study", prepared by Harris & Associates, was benchmarked to June 30, 1999 for determining future IMF program capital expenditures. The fees set by Resolution 2001-242 included an adjustment to January 1, 2001 using the ENR Twenty Cities Construction Cost Index. Subsequently, all IMF fees have been adjusted using that ENR index on January 1, 2002, January 1, 2003, and January 1, 2004; and

WHEREAS, in the report, "Development Impact Fee Update Study", one facility cost in the Streets and Road category was inadvertently excluded from the listing of program costs shown in Exhibit I of the report. The program cost not included was the fair share cost assigned to new development for street and road facilities constructed prior to 1991 with excess capacity to serve new development. The revised Exhibit I is attached and the added facility cost is shown in bold on Page 3 of that Exhibit; and

WHEREAS, the suite of Streets and Road Fees (as of June 30, 1999) is provided in revised Exhibit J of the report, "Development Impact Fee Update Study" and serves to amend the report. Exhibit One presents the listing of Streets and Road Fees for the Council to adopt by resolution that have been adjusted using the ENR index for the period of June 30, 1999 to January 1, 2004.

NOW, THEREFORE, BE IT RESOLVED, that the Lodi City Council hereby adopts the amended Impact Mitigation Fee for Streets and Roads, Exhibit One, and amended Exhibits I and J of the Development Impact Fee Update Study, October 2001.

Dated: July 21, 2004

=====

I hereby certify that Resolution No. 2004-_____ was passed and adopted by the City Council of the City of Lodi in a regular meeting held July 21, 2004, by the following vote:

AYES: COUNCIL MEMBERS –

NOES: COUNCIL MEMBERS –

ABSENT: COUNCIL MEMBERS –

ABSTAIN: COUNCIL MEMBERS –

SUSAN J. BLACKSTON
City Clerk

EXHIBIT "I" (PAGE 1 OF 3)
(Project Cost as of June 30, 1999)
(Revised July 21, 2004)

Streets/Roads/Traffic Projects
City of Lodi Capital Improvement Program

<u>Project #</u>	<u>Title</u>	<u>Status</u>	<u>Projected Cost</u>
MTSI 001	Kettleman Lane Restriping - Lower Sac. Rd. to Ham Ln.	Open	\$ 55,000
MTSI 002	Kettleman Lane Restriping - Ham Ln. to Stockton St.	Open	\$ 55,000
MTSI 003	Kettleman Lane Restriping - Stockton St. to Cherokee Ln.	Open	\$ 29,000
MTSI 004	Kettleman Lane / State Rte. 99 Interchange	Open	\$ 4,921,000
MTSI 005	Kettleman Lane Widening - Phase 2	Open	\$ 771,000
MTSI 006	Lower Sacramento Rd. Widening from Turner Rd. to Lodi Ave.	Open	\$ 361,000
MTSI 007	Lower Sacramento Rd. Widening from Lodi Ave. to Taylor Rd.	Open	\$ 253,000
MTSI 008	Lower Sacramento Rd. Widening from Taylor Rd. to Kettleman Ln.	Open	\$ 288,000
MTSI 009	Lower Sacramento Rd. Widening from Kettleman Ln. to Orchis Dr.	Open	\$ 299,000
MTSI 010	Lower Sacramento Rd. Widening from Orchis Dr. to Century Blvd.	Open	\$ 247,000
MTSI 011	Lower Sacramento Rd. Widening from Century Blvd. To Kristen Ct.	Open	\$ 381,000
MTSI 012	Lower Sacramento Rd. Widening from Kristen Ct. to Harney Lane	Open	\$ 165,000
MTSI 013	Harney Lane Widening from Lower Sacramento Road to Mills	Open	\$ 457,000
MTSI 014	Harney Lane Widening from WID Crossing to Lower Sacramento Road	Open	\$ 292,000
MTSI 015	Harney Lane Widening from WID Crossing to Hutchins Street	Open	\$ 149,000
MTSI 016	Harney Lane Widening from Hutchins St. to Stockton St.	Open	\$ 215,000
MTSI 017	Harney Lane Widening from Stockton St. to Cherokee Lane	Open	\$ 248,000
MTSI 018	Harney Lane Widening from Lower Sacramento Rd. to west City boundary	Open	\$ 303,000
MTSI 019	Project Study Report	Completed	\$ -
MTSI 020	SR 99 at Turner Road - Interchange Improvements	Open	\$ 1,907,000
MTSI 021	Lodi Avenue Restriping	Open	\$ 31,000
MTSI 022	Lodi Avenue Construction	Completed	\$ -
MTSI 023	Turner Road Restriping	Not In Program	\$ -
MTSI 024	Turner Road Construction	Open	\$ 34,000
MTSI 025	Century Boulevard Widening	Open	\$ 113,000
MTSI 026	Century Boulevard Construction	Completed	\$ -
MTSI 027	Stockton Street Widening	Partially Completed	\$ 73,000
MTSI 028	Guild Avenue Construction	Partially Completed	\$ 487,000
MTSI 029	Turner Road Widening	Completed	\$ -
MTSI 030	Lodi Avenue Widening	Partially Completed	\$ 131,000
MTSI 031	Kettleman Lane Widening	Open	\$ 153,000

EXHIBIT "I" (PAGE 2 OF 3)
(Project Cost as of June 30, 1999)
(Revised July 21, 2004)

Streets/Roads/Traffic Projects
City of Lodi Capital Improvement Program

<u>Project #</u>	<u>Title</u>	<u>Status</u>	<u>Projected Cost</u>
MTSI 032	Lockford Street Widening	Open	\$ 1,645,000
MTSI 033	Victor Road - SR 99 tp CCT Railroad Co.	Open	\$ 444,000
MTSO 001	Master Traffic System - Traffic System Master Plan 1987	Completed	\$ -
MTSO 002	Master Traffic System - Traffic System Master Plan 2001	Open	\$ 26,000
MTSO 003	Master Traffic System - Five Year CIP Update 2010	Open	\$ 26,000
MTSO 004	Public Works Admin. Building Expansion [1]	Open	\$ 322,000
MTSO 005	Public Works Storage Facility [1]	Open	\$ 162,000
MTSO 006	Public Works Garage/Wash Facility [1]	Open	\$ 288,000
MTS 001	Traffic Signal @ Turner Road & Lower Sacramento Road	Partially Completed	\$ 47,000
MTS 002	Traffic Signal @ Turner Road & SR 99 Southbound Ramp	Open	\$ 123,000
MTS 003	Traffic Signal @ Victor Road & Cluff Avenue	Completed	\$ -
MTS 004	Traffic Signal @ Lodi Avenue & Lower Sacramento Road	Partially Completed	\$ 48,500
MTS 005	Traffic Signal @ Lodi Avenue & Mills Avenue	Open	\$ 62,000
MTS 006	Traffic Signal @ Lower Sacramento Road & Vine Street	Completed	\$ -
MTS 007	Traffic Signal @ Kettleman Lane & Mills Avenue	Completed	\$ -
MTS 008	Traffic Signal @ Kettleman Lane & SR 99 Southbound Ramp	Completed	\$ -
MTS 009	Traffic Signal @ Kettleman Lane & Beckman Road	Completed	\$ -
MTS 010	Traffic Signal @ Lower Sacramento Road & Harney Lane	Open	\$ 124,000
MTS 011	Traffic Signal @ Harney Lane & Mills Avenue	Open	\$ 117,000
MTS 012	Traffic Signal @ Harney Lane & Ham Lane	Open	\$ 117,000
MTS 013	Traffic Signal @ Harney Lane & Stockton Street	Open	\$ 58,500
MTS 014	Traffic Signal @ Elm Street & Lower Sacramento Road	Partially Completed	\$ 64,000
MTS 015	Traffic Signal @ Lockford Street & Stockton Street	Open	\$ 58,500
MTS 016	Traffic Signal @ Turner Road & Stockton Street	Completed	\$ -
MTS 017	Traffic Signal @ Pine Street & Stockton Street	Open	\$ 58,500
MTS 018	Traffic Signal @ Turner Road & Mills Avenue	Completed	\$ -
MTS 019	Traffic Signal @ Turner Road & Edgewood	Open	\$ 58,500
MTS 020	Traffic Signal @ Kettleman Lane & Central Avenue	Completed	\$ -
MTS 021	Traffic Signal @ Elm Street & Mills Avenue	Open	\$ 58,500
MTS 022	Traffic Signal @ Cherokee Lane & Vine Street	Open	\$ 68,500
MTS 023	Traffic Signal @ Ham Lane & Century Boulevard	Open	\$ 62,000
MTS 024	Traffic Signal @ Cherokee Lane & Elm Street	Open	\$ 68,500
MTS 025	Traffic Signal @ Lower Sacramnto Rd & Tokay	Open	\$ 162,000
MTS 026	Traffic Signal @ Lower Sacramnto Rd & Kettleman Lane	Open	\$ 259,000

EXHIBIT "I" (PAGE 3 OF 3)
(Project Cost as of June 30, 1999)
(Revised July 21, 2004)

Streets/Roads/Traffic Projects
City of Lodi Capital Improvement Program

<u>Project #</u>	<u>Title</u>	<u>Status</u>	<u>Projected Cost</u>
[1] Funding shared equally by Water, Sewer and Streets programs.			
MBC 001	Box Culvert - WID Canal, Lower Sacramento Road, South of Lodi Ave.	Open	\$ 316,000
MBC 002	Box Culvert - WID Canal, Turner Road, South of Lodi Avenue	Open	\$ 97,500
MBC 003	Box Culvert - WID Canal, Mills Avenue, South of Vine Street	Completed	\$ -
MBC 004	Box Culvert - WID Canal, Harney Lane, West of Hutchins Street	Open	\$ 280,000
MRRX 001	RR Crossing - Lower Sacramento Road, North of Turner Road	Open	\$ 114,000
MRRX 004	RR Crossing -Guild Avenue, intersection of Guild Ave. & Lockeford St.	Open	\$ 228,000
MRRX 005	RR Crossing - Victor Rd., CCT RR Co, East of Guild Ave.	Open	\$ 248,000
MRRX 006	RR Crossing - Beckman Road, intersection of Beckman & Lodi Avenue	Open	\$ 253,000
MRRX 007	RR Crossing -Guild Avenue, intersection of Guild Ave. & Lodi Avenue	Open	\$ 233,000
MRRX 008	RR Crossing - Cluff Avenue, intersection of Cluff & Thurman St.	Completed	\$ -
MRRX 009	RR Crossing - Kettleman Lane, East of Guild Avenue	Open	\$ 254,000
MRRX 010	RR Crossing - Harney Lane, East of Hutchins Street	Open	\$ 241,000
New Development Share of Existing Facilities		Partially Completed	\$ 1,182,943
Total Project Costs =			\$ 20,393,443

Note: Open Projects are those that have not yet been undertaken

EXHIBIT "J"
SUMMARY OF DEVELOPMENT IMPACT FEES
STREETS/ROADS/TRAFFIC
(As of June 30, 1999)
(Revised July 21, 2004)

LAND USE CATEGORIES	Unit	RAE	Fee
<u>RESIDENTIAL</u>			
Low Density	Acre	1.00	\$8,139
Medium Density	Acre	1.96	\$15,953
High Density	Acre	3.05	\$24,824
<u>PLANNED RESIDENTIAL</u>			
Low Density	Acre	1.00	\$8,139
Medium Density	Acre	1.96	\$15,953
High Density	Acre	3.05	\$24,824
<u>COMMERCIAL</u>			
Retail Commercial	Acre	2.08	\$16,929
Office Commercial	Acre	3.27	\$26,615
<u>INDUSTRIAL</u>			
Light Industrial	Acre	2.00	\$16,278
Heavy Industrial	Acre	1.27	\$10,337

Source: City of Lodi, Public Works Department

Exhibit One
Development Impact Mitigation Fees
Streets and Roads
(as of January 1, 2004)

LAND USE CATEGORIES	Unit	RAE	Fee
<u>RESIDENTIAL</u>			
Low Density	Acre	1.00	\$9,142
Medium Density	Acre	1.96	\$17,920
High Density	Acre	3.05	\$27,884
<u>PLANNED RESIDENTIAL</u>			
Low Density	Acre	1.00	\$9,142
Medium Density	Acre	1.96	\$17,920
High Density	Acre	3.05	\$27,884
<u>COMMERCIAL</u>			
Retail Commercial	Acre	2.08	\$19,016
Office Commercial	Acre	3.27	\$29,896
<u>INDUSTRIAL</u>			
Light Industrial	Acre	2.00	\$18,285
Heavy Industrial	Acre	1.27	\$11,611

Source: City of Lodi, Public Works Department



CITY OF LODI
Carnegie Forum
305 West Pine Street, Lodi

NOTICE OF PUBLIC HEARING

Date: July 21, 2004

Time: 7:00 p.m.

For information regarding this notice please contact:

Susan J. Blackston
City Clerk
Telephone: (209) 333-6702

EXHIBIT A

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on **Wednesday, July 21, 2004** at the hour of 7:00 p.m., or as soon thereafter as the matter may be heard, the City Council will conduct a Public Hearing at the Carnegie Forum, 305 West Pine Street, Lodi, to consider the following matter:

- a) to consider Adoption of the Amended Impact Mitigation Fee for Streets and Roads and Amended Exhibits I and J of the Development Impact Fee Update Study, October 2001

Information regarding this item may be obtained in the office of the Public Works Department, 221 West Pine Street, Lodi, California. All interested persons are invited to present their views and comments on this matter. Written statements may be filed with the City Clerk at any time prior to the hearing scheduled herein, and oral statements may be made at said hearing.

If you challenge the subject matter in court, you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this notice or in written correspondence delivered to the City Clerk, 221 West Pine Street, at or prior to the Public Hearing.

By Order of the Lodi City Council:

Susan J. Blackston
City Clerk

Dated: June 17, 2004

Approved as to form:

D. Stephen Schwabauer
Interim City Attorney



DECLARATION OF MAILING

PUBLIC HEARING TO CONSIDER ADOPTION OF THE AMENDED IMPACT MITIGATION FEE FOR STREETS AND ROADS AND AMENDED EXHIBITS I AND J OF THE DEVELOPMENT IMPACT FEE UPDATE STUDY, OCTOBER 2001

On June 17, 2004, in the City of Lodi, San Joaquin County, California, I deposited in the United States mail, envelopes with first-class postage prepaid thereon, containing a letter regarding to consider Adoption of the Amended Impact Mitigation Fee for Streets and Roads and Amended Exhibits I and J of the Development Impact Fee Update Study, October, 2001, marked Exhibit "A"; said envelopes were addressed as is more particularly shown on Exhibit "B" attached hereto.

There is a regular daily communication by mail between the City of Lodi, California, and the places to which said envelopes were addressed.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on June 17, 2004, at Lodi, California.

ORDERED BY:

SUSAN BLACKSTON
CITY CLERK, CITY OF LODI

ORDERED BY:

JACQUELINE L. TAYLOR
DEPUTY CITY CLERK

A handwritten signature in cursive script, reading "Patricia Ochoa", is written over a horizontal line.

PATRICIA OCHOA
ADMINISTRATIVE CLERK

JENNIFER M. PERRIN
DEPUTY CITY CLERK

A FRED BAKER
PO BOX 1510
LODI CA 95241-1510

EDWARD BARKETT
ATLAS PROPERTIES INC
2800 W MARCH LN STE 250
STOCKTON CA 95219-8218

DELMAR BATCH
11174 N DAVIS RD
LODI CA 95242

DENNIS BENNETT & JIM JACOBSON
BENNETT DEVELOPMENT
777 S HAM LN
LODI CA 95242

A standard linear barcode consisting of vertical black bars of varying widths on a white background, located at the bottom right of the document.

BROWMAN DEVELOPMENT
100 SWAN WY STE 206
OAKLAND CA 94621

STEVE SINNOCK
KJELDSSEN SINNOCK & NEUDECK
PO BOX 844
STOCKTON CA 95201-0844

CECIL DILLON
DILLON & MURPHY ENGINEERING
PO BOX 2180
LODI CA 95241-2180

DALE GILLESPIE
GEWEKE PROPERTIES
PO BOX 1210
LODI CA 95241

A standard linear barcode consisting of vertical black bars of varying widths on a white background.

LOWELL FLEMMER
KATZAKIAN WILLIAMS SHERMAN
777 S HAM LN STE A
LODI CA 95242
|||

JOHN GIANNONI
GIANNONI DEVELOPMENT
1500 W EL CAMINO AVE STE 192
SACRAMENTO CA 95833
||..|||..||..||..||..||..||

MARK CHANDLER EXEC DIR
LODI WOODBRIDGE GRAPE COMM
2575 W TURNER RD
LODI CA 95242

A standard linear barcode consisting of vertical black bars of varying widths on a white background.

STEVE ROBERTS
HARRIS & ASSOCIATES
35 E 10TH ST STE A
TRACY CA 95376

JEFFREY KIRST
TOKAY DEVELOPMENT INC
PO BOX 1259
WOODBIDGE CA 95258

MAMIE STARR
LUSD
1305 E VINE ST
LODI CA 95240

TERRY PIAZZA & STEVE PECHIN
323 W ELM ST
LODI CA 95240

DARRELL SASAKI
DRS REAL ESTATE APPRAISALS
1806 W KETTLEMAN LN STE 1
LODI CA 95242

RON THOMAS
R THOMAS DEVELOPMENT INC
PO BOX 1598
LODI CA 95241-1598

LEX CORALES
SIEGFRIED & ASSOCIATES
4045 CORONADO AVE
STOCKTON CA 95204

WENTLAND SNIDER MCINTOSH
301 S HAMLIN STE A
LODI CA 95242

LWM SOUTHWEST INC
PO BOX 414
PACIFIC PALISADES CA 90272

TOM DOUCETTE
FRONTIERS
2375 W MARCH LN
STOCKTON CA 95207

RUSS MUNSON
WINE & ROSES
2505 W TURNER RD
LODI CA 95242

TOM DAVIS
LEE & ASSOCIATES
241 FRANK WEST CIR STE 300
STOCKTON CA 95206
|||uu|||uu|||uu|||uu|||

KEN SHARRAR
BIA OF THE DELTA
1150 W ROBINHOOD DR STE 4C
STOCKTON CA 95207
|||

MICHAEL E LOCKE CEO
SAN JOAQUIN PARTNERSHIP
2800 W MARCH LN STE 470
STOCKTON CA 95219

WILLIAM T MITCHELL
THE MITCHELL GROUP
1801 OAKLAND BLVD STE 210
WALNUT CREEK CA 94596

CHUCK EASTERLING
HESSELTINE REALTY
222 W LOCKEFORD ST STE 3
LODI CA 95240
||..|||..|||..|||..|||..|||..|||..|||

PAT PATRICK
LODI CHAMBER OF COMMERCE
35 S SCHOOL ST
LODI CA 95240

DR CHRIS KESZLER
816 W LODI AVE
LODI CA 95240

SEAN CRAWFORD
PACIFIC BELL
2300 EIGHT MILE ROAD
STOCKTON CA 95210



*Please immediately confirm receipt
of this fax by calling 333-6702*

CITY OF LODI
P. O. BOX 3006
LODI, CALIFORNIA 95241-1910

ADVERTISING INSTRUCTIONS

SUBJECT: SET PUBLIC HEARING FOR JULY 21, 2004 TO CONSIDER ADOPTION OF THE
AMENDED IMPACT MITIGATION FEE FOR STREETS AND ROADS AND AMENDED
EXHIBITS I AND J OF THE DEVELOPMENT IMPACT FEE UPDATE STUDY, OCTOBER
2001

LEGAL AD

PUBLISH DATES: FRIDAY, JUNE 25, 2004
FRIDAY, JULY 2, 2004

TEAR SHEETS WANTED: Three (3) please

SEND AFFIDAVIT AND BILL TO: SUSAN BLACKSTON, CITY CLERK
City of Lodi
P.O. Box 3006
Lodi, CA 95241-1910

DATED: THURSDAY, JUNE 17, 2004

ORDERED BY:

PATRICIA OCHOA
ADMINISTRATIVE CLERK

JACQUELINE L. TAYLOR, CMC
DEPUTY CITY CLERK

JENNIFER M. PERRIN, CMC
DEPUTY CITY CLERK

Verify Appearance of this Legal in the Newspaper – Copy to File

PLEASE SEND PROOF OF ADVERTISEMENT. THANK YOU!!

LNS	Faxed to the Sentinel at 369-1084 at <u>2:00</u> (time) on <u>6-17-04</u> (date)	(pages)
	Phoned to confirm receipt of all pages at <u>4:30</u> (time)	Jac <u>PO</u> Tricia <u>PO</u> Jen (initials)



DECLARATION OF POSTING

PUBLIC HEARING TO CONSIDER THE ADOPTION OF THE AMENDED IMPACT MITIGATION FEE FOR STREETS AND ROADS AND AMENDED EXHIBITS I AND J OF THE DEVELOPMENT IMPACT FEE UPDATE STUDY, OCTOBER 2001

On Thursday, June 17, 2004, in the City of Lodi, San Joaquin County, California, a copy of the notice to set public hearing for July 21, 2004, to consider Adoption of the Amended Exhibits I and J of the Development Impact Fee Update Study, October 2001 (attached hereto, marked Exhibit "A") was posted at the following four locations:

Lodi Public Library
Lodi City Clerk's Office
Lodi City Hall Lobby
Lodi Carnegie Forum

I declare under penalty of perjury that the foregoing is true and correct.

Executed on June 17, 2004, at Lodi, California.

ORDERED BY:

SUSAN J. BLACKSTON
CITY CLERK

A handwritten signature in cursive script, reading "Patricia Ochoa".

Patricia Ochoa
Administrative Clerk

Jacqueline L. Taylor
Deputy City Clerk

Jennifer M. Perrin
Deputy City Clerk



CITY OF LODI

COUNCIL COMMUNICATION

AGENDA TITLE: Public Hearing to Consider Adoption of the Transit Division's Fiscal Year 2002/03 Program of Projects

MEETING DATE: July 21, 2004

PREPARED BY: Public Works Director

RECOMMENDED ACTION: That the City Council conduct a public hearing to consider adoption of the Transit Division's FY 2002/03 Program of Projects.

BACKGROUND INFORMATION: The City of Lodi is required to hold a public hearing to allow the public an opportunity to comment on the City's transit projects funded by the Federal Transit Administration (FTA). In the past, very few, if any, comments have been given regarding the use of Federal funds for transit projects. Staff expects the same this year. The program of projects was published in the Lodi News Sentinel on July 10, 2004. For FY 2002/2003, the program of projects is as follows:

Section 5307 Funds:

Operations for City of Lodi	\$655,000
Total	\$655,000

FUNDING: None required.

Richard C. Prima, Jr.
Public Works Director

Prepared by Tiffani M. Fink, Transportation Manager

RCP/TMF/pmf

cc: Finance Director
Transportation Manager

APPROVED: _____
H. Dixon Flynn, City Manager



***Please immediately confirm receipt
of this fax by calling 333-6702***

CITY OF LODI
P. O. BOX 3006
LODI, CALIFORNIA 95241-1910

ADVERTISING INSTRUCTIONS

SUBJECT: SET PUBLIC HEARING FOR JULY 21, 2004 TO CONSIDER ADOPTION OF THE
TRANSIT DIVISION'S FISCAL YEAR 2002/03 PROGRAM OF PROJECTS

LEGAL AD

PUBLISH DATES: SATURDAY, JULY 10, 2004


TEAR SHEETS WANTED: Three (3) please

SEND AFFIDAVIT AND BILL TO:

SUSAN BLACKSTON, CITY CLERK
City of Lodi
P.O. Box 3006
Lodi, CA 95241-1910

DATED: THURSDAY, JULY 8, 2004

ORDERED BY:


PATRICIA OCHOA
ADMINISTRATIVE CLERK

JACQUELINE L. TAYLOR, CMC
DEPUTY CITY CLERK

JENNIFER M. PERRIN, CMC
DEPUTY CITY CLERK

Verify Appearance of this Legal in the Newspaper – Copy to File

PLEASE SEND PROOF OF ADVERTISEMENT. THANK YOU!!

LNS	Faxed to the Sentinel at 369-1084 at <u>3:25pm</u> (time) on <u>7-9-04</u> (date) <u>2</u> (pages)
	<u>DORA</u> Phoned to confirm receipt of all pages at <u>3:25</u> (time) <u>Jac</u> <u>B2</u> Tricia <u>Jen</u> (initials)



CITY OF LODI

Carnegie Forum
305 West Pine Street, Lodi

NOTICE OF PUBLIC HEARING

Date: July 21, 2004

Time: 7:00 p.m.

For information regarding this notice please contact:

Susan J. Blackston

City Clerk

Telephone: (209) 333-6702

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on **Wednesday, July 21, 2004** at the hour of 7:00 p.m., or as soon thereafter as the matter may be heard, the City Council will conduct a Public Hearing at the Carnegie Forum, 305 West Pine Street, Lodi, to consider the following matter:

- a) to consider adoption of the Transit Division's Fiscal Year 2002/03 Program of Projects

Information regarding this item may be obtained in the office of the Public Works Department, 221 West Pine Street, Lodi, California. All interested persons are invited to present their views and comments on this matter. Written statements may be filed with the City Clerk at any time prior to the hearing scheduled herein, and oral statements may be made at said hearing.

If you challenge the subject matter in court, you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this notice or in written correspondence delivered to the City Clerk, 221 West Pine Street, at or prior to the Public Hearing.

By Order of the Lodi City Council:

Susan J. Blackston
City Clerk

Dated: July 8, 2004

Approved as to form:

D. Stephen Schwabauer
Interim City Attorney



DECLARATION OF POSTING

PUBLIC HEARING TO CONSIDER ADOPTION OF THE TRANSIT DIVISION'S FISCAL YEAR 2002/03 PROGRAM OF PROJECTS

On Thursday, July 8, 2004 in the City of Lodi, San Joaquin County, California, a copy of a Notice of Public Hearing to consider an Adoption of the Transit Division's Fiscal Year 2002/03 Program of Projects (attached hereto, marked Exhibit "A"), was posted at the following four locations:

Lodi Public Library
Lodi City Clerk's Office
Lodi City Hall Lobby
Lodi Carnegie Forum

I declare under penalty of perjury that the foregoing is true and correct.

Executed on July 8, 2004, at Lodi, California.

ORDERED BY:

**SUSAN J. BLACKSTON
CITY CLERK**

Jacqueline L. Taylor, CMC
Deputy City Clerk

A handwritten signature in cursive script, reading "Patricia Ochoa".

Patricia Ochoa
Administrative Clerk

Jennifer M. Perrin, CMC
Deputy City Clerk



CITY OF LODI COUNCIL COMMUNICATION

AGENDA TITLE: Appointments/Reappointments to the Greater Lodi Area Youth Commission

MEETING DATE: July 21, 2004

PREPARED BY: City Clerk

RECOMMENDED ACTION: That Council, by motion action, concur with the Mayor's recommended appointments/reappointments to the Greater Lodi Area Youth Commission.

BACKGROUND INFORMATION: As indicated below, the City Clerk's office was directed to post for seven "student" vacancies and two "adult advisor" vacancies on the Greater Lodi Area Youth Commission. It is recommended that the City Council concur with the following appointments/reappointments.

Greater Lodi Area Youth Commission *posting of vacancies ordered 5/05/04*

Adult Advisors:

Elizabeth Mazzeo	Term to expire August 30, 2006
MaryAnn Porterfield	Term to expire August 30, 2007

Student Members:

Ricky Gill	Term to expire August 30, 2005
Gabi del Castillo	Term to expire August 30, 2005
Erin Brink	Term to expire August 30, 2006
Brooke Goodbary	Term to expire August 30, 2006
Jacqueline Hamilton	Term to expire August 30, 2006
Kevin Howard	Term to expire August 30, 2006
Sarah McConahey	Term to expire August 30, 2006

NOTE: 20 "student" applications (18 new, 2 seeking reappointment) and 2 "adult advisor" applications (1 new, 1 seeking reappointment) were received; notice published 5/8/04 in the Lodi News-Sentinel; application deadline 6/7/04.

FUNDING: None required.

Susan J. Blackston
City Clerk

SJB/JMP

APPROVED: _____
H. Dixon Flynn, City Manager



CITY OF LODI COUNCIL COMMUNICATION

AGENDA TITLE: Adopt Resolution Approving the 2004-05 Financial Plan and Budget and the 2004-05 Appropriation Spending Limit

MEETING DATE: July 21, 2004

PREPARED BY: Deputy City Manager

RECOMMENDED ACTION: That Council adopt a Resolution approving the 2004-05 Financial Plan and Budget and the 2004-05 Appropriation Spending Limit.

BACKGROUND INFORMATION: As Council will recall, budget discussions for the Fiscal Year 2004-05 budget have been ongoing since December 17, 2003. Over the course of the past seven months, staff has presented Council with the budget challenges as they relate to the short-term and the long-term. The short-term challenges have been solved with a number of recommended actions which will be discussed further in this communication. The solutions for the long-term challenges, or the structural imbalance, are not as firm and will be addressed during the presentation.

In its quest to not only balance the budget for FY 2004-05 but to also begin rebuilding the General Fund Reserves, staff presented a variety of options for Council's consideration which were discussed at length during regular Council meetings and during Shirtsleeve Sessions (see attached calendar). The recommendations most noteworthy that were discussed and have been programmed in the Budget include the following:

- Continue the hiring freeze of 20 positions and increase it by 8 positions for a total of 28 positions
- Eliminate the Economic Development Coordinator position
- Extend the employees' Voluntary Time Off (VTO) program
- Eliminate one position in Information Systems Division
- Defer hiring a High Tech Crime Investigator for the Police Department
- Defer hiring a new Firefighter
- Defer hiring 6 Paramedics for the proposed Paramedic Program
- Suspend Administrative Leave pay-out
- Adjust the General Fund to account for the State take-away

Staff will once again review the Fund Balances during the presentation and will reference that the above-noted adjustments (along with others) are reflected in the numbers.

APPROVED: _____
H. Dixon Flynn, City Manager

The long-term challenge that the City will face in the near future is a “structural imbalance” of approximately \$1.3 million. The imbalance derives from increasing expenditures, rising medical and retirement costs and from revenues not keeping pace with the increasing costs. The solutions will be multi-faceted and will involve holding the line on expenditures, generating new sales tax dollars, initiating a property tax audit, examining cost-sharing in benefits for employees, and other yet to be determined actions.

Staff is recommending that the FY 2004-05 Budget be adopted by the City Council with the anticipated 14% General Fund Reserve. Further, staff is recommending that a series of department and program reviews take place this Fall to examine solutions for the longer-term challenge of the “structural imbalance.”

Paper copies of the attached budget are available upon request.

FUNDING: Not Applicable

Janet S. Keeter
Deputy City Manager

Attachment

JSK/sl

MAJOR BUDGET PREPARATION MILESTONES

	STAFF	PUBLIC MEETINGS
Review of Possible Budget Shortfall	11/18/03	
Discussion of VLF Impact & Budget Reductions Phase I		12/17/03
City Manager Recommendation to Conduct Public Survey		1/07/04
Discussion on Mid-year Budget Adjustments Phase II		1/21/04
Meetings with City Manager Budget Review Committee Members On-going	Feb '04	
Presentations to Service Clubs on Budget Challenges – 3 weeks		Feb '04
Discussion on Mid-year Budget Adjustments Phase II continued		2/04/04
Review of Public Survey Results by City Manager	4/20/04	
Public Survey Results Presentation		4/21/04
Inter-Fund Transfers Presentation		4/27/04
Governor's May Revise Release		5/13/04
Presentation by City Manager's Budget Advisory Committee and City Manager Regarding Recommended Adjustments		5/19/04
Release of Draft Budget Document		6/02/04
Shirtsleeve – Budget		6/08/04
Shirtsleeve – Budget		6/15/04
Shirtsleeve – Budget		6/22/04
Shirtsleeve – Budget		6/29/04
Shirtsleeve - Budget		7/07/04
Adoption of 2004-05 Financial Plan & Budget – Council Meeting		7/21/04

Dates subject to change

June 21, 2004



2004-05

2nd Year of Two Year

FINANCIAL PLAN AND BUDGET

**CITY OF LODI
CALIFORNIA**

Revised Draft

**2004-05
FINANCIAL PLAN AND BUDGET**

*Larry Hansen, Mayor
John Beckman, Mayor Pro Tempore
Susan Hitchcock, Council Member
Emily Howard, Council Member
Keith Land, Council Member*

H. Dixon Flynn, City Manager

**Prepared by the Staff
of the
City of Lodi**

CITY OF LODI, CALIFORNIA

Section A

INTRODUCTION

2004-05 FINANCIAL PLAN AND BUDGET

DIRECTORY OF OFFICIALS AND ADVISORY BODIES

CITY COUNCIL

Larry Hansen, Mayor

John Beckman, Mayor Pro Tempore

Susan Hitchcock, City Council Member

Emily Howard, City Council Member

Keith Land, City Council Member

ADVISORY BODIES

Budget Committee

Planning Commission

Library Board

Arts Commission

Youth Commission

To advise City Council on Budget policies

Site Plan and Architectural Review Committee

Recreation Commission

Senior Citizens' Commission

East Side Improvement Committee

MANAGEMENT

H. Dixon Flynn, City Manager

Steve Schwabauer, Interim City Attorney

Susan Blackston, City Clerk

Jerry Adams, Police Chief

Tony Goehring, Interim Parks and Recreation Director

Konradt Bartlam, Community Development Director

Janet S. Keeter, Deputy City Manager

Tea Silvestre, Community Center Director

James Krueger, Finance Director

Nancy Martinez, Library Services Director

Joanne Narloch, Human Resources Director

Mike Pretz, Fire Chief

Richard Prima, Public Works Director

Alan Vallow, Electric Utility Director

REPORT PRODUCTION AND ANALYSIS

Budget Review Team

H. Dixon Flynn, City Manager
Janet S. Keeter, Deputy City Manager
Janet L. Hamilton, Management Analyst, Administration
Joanne Narloch, Human Resources Director
Maxine Cadwallader, Revenue Manager
James Krueger, Finance Director
Ruby Paiste, Accounting Manager
Cory Wadlow, Senior Accountant

Departments

Jerry Adams, Chief, Police
Ann Areida-Hintz, Senior Services Coordinator, Community Center
Tony Goehring, Interim Parks & Recreation Director, Parks & Recreation
Konradt Bartlam, Community Dev. Director, Community Development
Frank Beeler, Asst. Water/Wastewater Superintendent, Public Works
Susan Bjork, Management Analyst, Parks and Recreation
Susan Blackston, City Clerk, City Clerk's Office
George Bradley, Street Superintendent, Public Works
Dennis Callahan, Fleet and Facilities Manager, Public Works
Kirk Evans, Senior Management Analyst, Human Resources
Tiffani Fink, Transportation Manager, Public Works Transit
Betsy Gandy, Management Analyst, Police
Mel Grandi, Electric Service Manager, Electric Utility
Del Kerlin, Wastewater Assistant Treatment Superintendent, Public Works
Ronnie Kramer, Finance Technician, Finance
Rob Lechner, Customer Programs Manager, Electric Utility
Steve Mann, Information Systems Manager, Information Systems
Nancy Martinez, Library Services Director, Library
Tyson Mordhorst, IS Programmer/Analyst, Finance
David Morimoto, Senior Planner, Community Development
Peggy Nicolini, Legal Secretary, City Attorney's Office
Verne Person, Fire Division Chief, Fire
Mike Pretz, Fire Chief, Fire
Richard Prima, Public Works Director, Public Works
Boris Prokop, Manager, Rates and Resources, Electric Utility
Gregory Ramirez, Administrative Secretary, Community Center
Steve Schwabauer, Interim City Attorney, City Attorney's Office
Jim Siemers, Building Inspector, Community Development
Tea Silvestre, Community Center Director,
Nancy Spinelli, Accounts Clerk, Finance
Linda Tremble, Administrative Secretary, Electric Utility
Alan Vallow, Electric Utility Director, Electric Utility

Section B

POLICIES AND OBJECTIVES

BUDGET POLICIES

B. City Manager

The City Manager as the chief administrative officer, provides the City Council and staff with general direction in the development and formulation of the staff's budget recommendation. This includes: evaluating and assessing current and projected issues confronted by the City; determining the demand for services and facilities; identifying the concerns of the voters; assessing the current and projected financial condition of the City; and determining the final staff recommendation.

C. Finance Director/Treasurer

The Finance Director as the chief financial officer, is responsible for budget development and administration. This includes: developing and issuing the budget instructions and calendar; advising the City Manager on budget policies, including recommended annual target funding levels for fleet funds; reviewing budget requests to ensure they are complete and accurate; preparing the preliminary budget recommendation for review by the City Manager; and, publication of the approved budget.

D. Public Works Director

The Public Works Director is responsible for preparing the City's Capital Improvement Budget (CIB) and the City's Equipment Replacement Schedule (ERS). In this capacity, the Public Works Director works closely with the Electric Utility Director to prepare an integrated CIB and ERS in recognition of the unique responsibilities and scope of services offered by the Electric Department.

E. Department Directors

Department Directors are responsible for preparing their operating budget requests and capital budget requests in accordance with the City's budget instructions.

F. Fleet Committees

Fleet committees were established to serve the City Manager in all vehicle-related matters to include budgeting, acquisition, disposition, assignments, vehicle operations, maintenance and insurance.

G. Failure to Adopt Budget

If the City Council fails to adopt the budget by July 1 of each year, the City Council may elect one of the following courses of action until passage of a budget and the appropriation of funds: (1) Provide the City Manager with Continuing Resolution Authority to allow continued services at expenditure levels not greater than those levels approved in the prior year budget; or (2) Require staff to obtain prior approval for the expenditure (disbursement) of *materials and services in excess of \$5,000 per contract or purchase order*.

H. Public Record

The budget document will be available on-line at the City's website located at www.lodi.gov. Hard copies will be available for public perusal at the Lodi Public Library, the Finance Department and the the Carnegie Forum during Council meetings.

GENERAL REVENUE MANAGEMENT

- A. The City will seek to maintain a diversified and stable revenue base to protect it from short-term fluctuations in any one revenue source.

2004-05 FINANCIAL PLAN AND BUDGET

BUDGET POLICIES

- B. To emphasize and facilitate long-range planning, the City will project operating revenues for the succeeding five years.
- C. The City will make all current expenditures with current revenues, avoiding procedures that balance current budgets by accruing future revenues, rolling over short-term debt or borrowing reserves of one fund to another.

RECREATION AND COMMUNITY CENTER FEES

- A. Recreation service cost recovery goals are addressed as an integral component of the City's annual comprehensive user fee analysis process. It is the City's goal that a minimum of 35% of the total cost of the City's recreation and 40% of the total cost of the City's community center programs should be recovered through fees and charges for recreation activities and the use of City facilities and equipment. In achieving these overall cost recovery goals, the following guidelines will be used:

- 1. Cost recovery for activities directed to adults should be relatively high *if not at 100% of cost*.
- 2. Cost recovery for activities for youth should be relatively low.

Although ability to pay may not be a concern for all youth and senior participants, these are desired program activities, and the cost of determining need may be greater than the cost of providing a uniform service fee structure to all participants. Further, there is a community-wide benefit to encourage high-levels of participation in youth recreation activities regardless of financial status.

- 3. For cost recovery activities of less than 100%, there should be a differential in rates between residents and non-residents.
 - 4. These policy guidelines are sufficient in themselves in providing direction for setting the recreation and community center fees. Although these targets may be internally useful in administering recreation fees, the City's management should have as much flexibility as possible in setting specific activity fees as long as they meet the objectives and criteria provided above; however, the Recreation Department and Community Center will prepare and submit a summary of internal cost recovery targets to the City Manager for various activity categories at least annually.
- B. Charges will be assessed for use of rooms, pools, gymnasiums, ball fields, special use areas, and recreation equipment for activities not sponsored or co-sponsored by the City. Such charges will generally conform to the fee support categories listed above.
 - C. The Recreation Department and Community Center may waive fees with the approval of the City Manager when it is determined that an undue hardship exists or when in the best interest of the City.

BUDGET POLICIES

ENTERPRISE FUND FEES AND RATES

- A. The City will set fees and rates at levels which fully cover the total direct and indirect costs; including operations, capital outlay and debt service, of the following enterprise programs: electrical, water, sewer, and transit.
- B. The City will annually review and adjust Enterprise Fund fees and rates as required to ensure that they remain appropriate and equitable; and to stem large rate increases.

OTHER FEES AND RATES

A. **Ongoing Review**

Fees and rates will be reviewed and updated on an on-going basis to ensure that they are correct and appropriate based on the changing needs of the community, i.e. economic concerns, social issues, public safety.

B. **General Concepts Regarding the Use of Service Fees and Rates**

The use of fees and rates should be subject to the following general concepts:

1. Revenues normally will not exceed the reasonable cost of providing the service.
2. Cost recovery goals should be based on the total cost of delivering the service, including direct costs, departmental administration costs, and organization-wide cost such as accounting, personnel, *data* processing, vehicle maintenance and insurance.
3. The method of assessing and collecting fees should be as simple as possible in order to reduce the administrative cost of collection.
4. Rate structures should be sensitive to the "market" for similar services as well as to smaller, infrequent users of the service and the influence rates and fees have on economic development.
5. A unified approach should be used in determining cost recovery levels for various programs based on the factors discussed above.

C. **Low Cost Recovery Services**

Based on the criteria discussed above, the following types of services should have very low cost recovery goals. In selected circumstances, there may be specific activities within the broad scope of services provided that should have user charges associated with them; however, the primary source of funding for the operation as a whole should be general purpose revenues, not user fees.

1. Maintaining and developing public facilities that are provided on a uniform, community wide basis such as streets, parks and general purpose buildings.
2. Delivery of social service programs and economic development activities.

BUDGET POLICIES

D. Comparability with Other Communities

1. Fee surveys should never be the sole or primary criteria in setting City fees. There are many factors that affect how and why other communities have set their fees at their levels. For example:
 - a. What level of cost recovery is their fee intended to achieve compared with Lodi's cost recovery objectives?
 - b. What costs have been considered in computing the fees?
 - c. When was the last time that their fees were comprehensively evaluated?
 - d. What level of service do they provide compared with Lodi's service or performance standards?
 - e. Is their rate structure significantly different than Lodi's and what is it intended to achieve?
2. Surveys comparing the City's fees to other communities are useful background information in setting fees for several reasons:
 - a. They reflect the "market" for these fees and can assist in assessing the reasonableness of the City's fees.
 - b. If prudently analyzed, they can serve as a benchmark for how cost effective the City provides services.

These are difficult questions to address in fairly evaluating fees among different cities.

REVENUE

The Council recognizes that generally accepted accounting principles for local government discourage the "earmarking" of General Fund revenues, and accordingly, the practice of earmarking General Fund revenues for specific programs should be minimized. Approval of the following Revenue Distribution policies for **2004-05** does not prevent future Councils from directing General Fund resources to other funds and activities as necessary.

BUDGET POLICIES

transportation programs - in conjunction with other State and Federal grants for this purpose, will be self-supporting from TDA revenues. As available, TDA funds will also be used for street maintenance projects.

D. Enterprise Fund Allocations to the General Fund

1. The goal of Proposition 4 is to limit growth in appropriations of both state and local government to changes in the cost of living and population in order to control spending levels. Proposition 4 further describes the difference between "tax proceeds" and fees. Tax proceeds are the revenue from regulatory licenses, user charges and user fees to the extent the revenue exceeds the cost of providing the regulation, product or service. (This includes transfers from an enterprise fund to the extent those funds exceeded the cost of providing the services).
2. As discussed above, the funds transferred from the City's enterprise funds to the City's General Fund are "In-Lieu of Taxes" to the extent they exceed the cost of services provided by general services (accounting, personnel, legal, insurance, etc.). These taxes will be levied based on prior year revenues as follows *with changes in future years to coincide with the water/wastewater rate increases approved in April 2004*:

	<u>2004-05</u>	<u>2005-06</u>	<u>2006-07</u>
In-lieu of Tax - Electric	12%	12%	12%
In-lieu of Tax - Water	12%	9%	9%
In-lieu of Tax - Wastewater	9%	11%	9%

E. Special Revenue Allocations to the General Fund 12%

Revenues the City receives for specific services (i.e. vehicle tow charges) will not be designated for use by an individual department unless required by statute or approved by the City Council. When required by statute (i.e. asset seizure), these funds will be first allocated to the purchase of necessary and essential equipment and/or services prior to purchase with General Fund resources.

F. Grants and Donations

Council must approve applications for grants or acceptance of donations containing restrictions that may have an impact on the budget.

G. Use of Community Development Block Grant (CDBG) Funds

Each year, the U.S. Department of Housing and Urban Development (HUD) awards cities grants to carry out a number of community development activities in an effort to revitalize neighborhoods, foster economic development and improve community facilities and services. Lodi receives those grant funds in a formula-based allocation to use to address identified community development needs.

BUDGET POLICIES

FUND BALANCE DESIGNATIONS AND RESERVES

- A. The City should maintain fund balances of at least 15%, (*if financially feasible within the constraints of available resources*) of operating expenditures in the General Fund as well as the Electric, *Wastewater*, and Water Funds. This is considered the minimum level necessary to maintain the City's credit worthiness and to adequately provide for:
1. Economic uncertainties, local disasters, and other financial hardships or downturns in the local economy.
 2. Contingencies for unforeseen operation or capital needs.
 3. Cash flow requirements.
- B. The City will establish and maintain an Equipment Fund to provide for the timely replacement of vehicles and capital equipment. This includes items with an individual replacement cost of \$3,000 or more. The minimum fund balance in the Equipment Fund should allow for annual fluctuations in expenditures while maintaining a level annual transfer and allow for emergency replacement purchases. The annual contribution to the Fund will generally be based on the annual "use allowance" which is determined based on the estimated life of the vehicle or equipment and its original purchase cost. Interest earnings and sales of surplus equipment as well as any related damage and insurance recoveries will be credited to the Equipment Fund.
- C. The Council may designate specific fund balance levels for future development of capital projects which it has determined to be in the best long-term interests of the City.
- D. In addition to the designations noted above, fund balance levels will be sufficient to meet funding requirements for projects approved in prior years which are carried forward into the new year; debt service reserve requirements; reserves for encumbrances; and other reserves or designations required by contractual obligations, state law, or generally accepted accounting principles.

INVESTMENTS

- A. Investments and cash management will be the responsibility of the City Finance Director/Treasurer or designee.
- B. The City's primary investment objective is to achieve a reasonable rate of return while minimizing the potential for capital losses arising from market changes or issuer default. Accordingly, the following factors will be considered in priority order in determining individual investment placements:
1. Safety
 2. Liquidity
 3. Yield

BUDGET POLICIES

- C. Regular employees will be the core workforce and the preferred means to staff ongoing, year-round activities rather than independent contractors. The City will strive to provide fair compensation and benefit schedules for its authorized regular work force. Each regular employee will:
1. Fill an authorized regular position.
 2. Be assigned to an appropriate bargaining unit or representative group.
 3. Receive salary and benefits consistent with labor agreements or other compensation plans.
- D. To manage the growth of the regular workforce and overall staffing costs, the City will follow these procedures:
1. The City Council will authorize all regular positions except in the case of the Library which is governed by the Library Board.
 2. The Human Resources Department will coordinate the hiring of all employees and evaluate the reallocation of existing positions.
 3. All requests for additional regular positions will include an evaluation of:
 - a. The necessity, term, and expected results of the proposed position.
 - b. Staffing and material costs including salary, benefits, equipment, uniforms, clerical support, and facilities.
 - c. The ability of private industry to provide the proposed service.
 - d. Additional revenues or cost savings which may be realized.
 4. Periodically, and prior to any request for additional regular positions, programs will be evaluated to determine if they can be accomplished with fewer regular employees under a "productivity review".
- E. Temporary employees are employees other than regular employees, elected officials, and volunteers budgeted in hours. Temporary employees will augment regular City staffing only as limited term employees, seasonal employees, emergency, intermittent, contract employees, and interns. The City Manager will encourage the use of temporary employees to meet peak workload requirements, fill interim vacancies, and accomplish tasks where less than regular, year-round staffing is required.
- F. Contract employees will be defined as temporary employees with written contracts approved by the City Manager who may receive approved benefits depending on hourly requirements and the length of their contract. Contract employees will generally be used for medium-term (generally between six months and two years) projects, programs, or activities requiring specialized or augmented levels of staffing for a specific period of time. The services of contract employees will be discontinued upon completion of the assigned project, program or activity. Accordingly, contract employees will not be used for services that are anticipated to be delivered on an ongoing basis, *unless the City is experiencing economic uncertainties with the possibility of layoffs. Under such circumstances, the contract positions may be extended as necessary to keep in check the number of permanent positions.*

Section C
CHANGES IN FUND BALANCE

2004-2005 FINANCIAL PLAN AND SUMMARY

CHANGES IN FUND BALANCE - GENERAL FUND

	2001-2002	2002-2003	2003-2004		2003-2004	2004-2005		2004-2005
	Actual	Actual	Adopted Budget	Changes	Revised Budget	Budget	Changes	Revised Budget
Revenues								
Tax Revenues	19,447,199	20,213,654	21,160,890		21,160,890	21,950,230	1,881,695	23,831,925
Licenses and Permits	1,464,450	1,669,402	1,555,905		1,555,905	1,586,115		1,586,115
Fines and Forfeitures	743,058	746,857	811,090		811,090	763,945		763,945
Investment/Property Revenues	500,058	217,171	776,260	(444,380)	331,880	776,260	(444,380)	331,880
Intergovernmental Revenues	4,291,718	4,059,062	4,145,331		4,145,331	4,056,961	(69,000)	3,987,961
Service Charges	1,738,806	1,867,525	1,814,930	(148,600)	1,666,330	2,352,060	(387,640)	1,964,420
Other Revenue	138,294	129,858	119,250		119,250	121,235		121,235
Total Revenue	28,323,583	28,903,529	30,383,656	(592,980)	29,790,676	31,606,806	980,675	32,587,481
Expenditures								
Operating Programs								
Public Safety	13,132,941	13,530,180	15,229,994	(360,285)	14,869,709	16,866,399	(678,918)	16,187,481
Transportation	1,817,284	1,998,381	2,072,270	(521)	2,071,749	2,158,690	(31,288)	2,127,402
Leisure, Cultural and Social Services	4,082,832	4,397,605	4,670,221	(198,459)	4,471,762	4,794,851	(332,863)	4,461,988
Community and Economic Development	3,152,561	3,190,093	3,289,410	(318,976)	2,970,434	3,557,270	(406,055)	3,151,215
General Government	7,788,217	8,701,782	8,975,052	(340,238)	8,634,814	9,476,549	(914,408)	8,562,141
Total Operating Programs	29,973,835	31,818,041	34,236,947	(1,218,479)	33,018,468	36,853,759	(2,363,532)	34,490,227
Bulk Power Purchase								
Other Purchases								
Capital Projects								
Debt Service								
Total Expenditures	29,973,835	31,818,041	34,236,947	(1,218,479)	33,018,468	36,853,759	(2,363,532)	34,490,227
Revenues/Expenditures (Over/Under)	(1,650,252)	(2,914,512)	(3,853,291)	625,499	(3,227,792)	(5,246,953)	3,344,207	(1,902,746)
Other Sources (Uses)								
Operating Transfers In	4,897,694	6,963,138	6,375,492	1,116,000	7,491,492	6,380,227	2,202,028	8,582,255
Operating Transfers Out	(4,288,392)	(5,842,729)	(4,490,867)	(470,525)	(4,961,392)	(4,490,867)	(828,662)	(5,319,529)
Other Sources (Uses)		300,000	2,530,001	(1,154,413)	1,375,588	2,701,404	(1,027,267)	1,674,137
Total Other Sources (Uses)	609,302	1,420,409	4,414,627	(508,938)	3,905,689	4,590,765	346,099	4,936,864
Fund Balance Beginning of the Year	3,629,228	2,588,278	2,642,505	(1,548,471)	1,094,034	3,203,841	(1,431,910)	1,771,931
Adjustment to Fund Balance								
Fund Balance End of the Year								
Reserved for Debt Service								
Designated Reserve								
Unreserved	2,588,278	1,094,175	3,203,841	(1,431,910)	1,771,931	2,547,652	2,258,396	4,806,048
Total Fund Balance	2,588,278	1,094,175	3,203,841	(1,431,910)	1,771,931	2,547,652	2,258,396	4,806,048
	8.6%	3.4%	9.4%		5.4%	6.9%		13.9%

2004-2005 FINANCIAL PLAN AND SUMMARY

CHANGES IN FUND BALANCE - LIBRARY FUND

	2001-2002	2002-2003	2003-2004		2003-2004	2004-2005		2004-2005
	Actual	Actual	Adopted Budget	Changes	Revised Budget	Adopted Budget	Changes	Revised Budget
Revenues								
Tax Revenues	1,128,134	1,238,288	1,284,845		1,284,845	1,374,785	(45,120)	1,329,665
Fines and Forfeitures	63,154	56,238	59,000		59,000	59,000		59,000
Investment/Property Revenues	15,847	4,313						
Intergovernmental Revenues	223,557	160,329	107,500		107,500	91,000		91,000
Other Revenue	76,032	28,279	4,030		4,030	4,030		4,030
Total Revenue	1,506,724	1,487,447	1,455,375		1,455,375	1,528,815	(45,120)	1,483,695
Expenditures								
Operating Programs								
Public Safety								
Public Utilities								
Transportation								
Leisure, Cultural and Social Services	1,157,664	1,166,686	1,258,085	(9,200)	1,248,885	1,300,485	(32,911)	1,267,574
Community and Economic Development								
General Government								
Total Operating Programs	1,157,664	1,166,686	1,258,085	(9,200)	1,248,885	1,300,485	(32,911)	1,267,574
Bulk Power Purchase								
Other Purchases								
Capital Projects	144,906	83,665						
Debt Service								
Total Expenditures	1,302,570	1,250,351	1,258,085	(9,200)	1,248,885	1,300,485	(32,911)	1,267,574
Revenues/Expenditures (Over/Under)	204,154	237,096	197,290	9,200	206,490	228,330	(12,209)	216,121
Other Sources (Uses)								
Operating Transfers In	2,715							
Operating Transfers Out	(119,712)	(129,634)	(173,915)		(173,915)	(173,915)		(173,915)
Other Sources (Uses)								
Total Other Sources (Uses)	(116,997)	(129,634)	(173,915)		(173,915)	(173,915)		(173,915)
Fund Balance Beginning of the Year	440,087	527,244	629,494	5,212	634,706	652,869	14,412	667,281
Fund Balance End of the Year								
Reserved for Debt Service								
Designated Reserve								
Unreserved	527,244	634,706	652,869	14,412	667,281	707,285	2,203	709,487
Total Fund Balance	527,244	634,706	652,869	14,412	667,281	707,285	2,203	709,487

CHANGES IN FUND BALANCE - CAPITAL OUTLAY FUND

	2001-2002	2002-2003	2003-2004		2003-2004	2004-2005		2004-2005
	Actual	Actual	Budget	Changes	Revised Budget	Budget	Changes	Revised Budget
Revenues								
Tax Revenues	1,692,200	1,857,432	1,927,265		1,927,265	2,062,175	(2,062,175)	
Licenses and Permits								
Fines and Forfeitures								
Investment/Property Revenues	607,424	520,585	24,540		24,540	24,540		24,540
Intergovernmental Revenues	4,256,053	24,840	1,115,430		1,115,430	1,250,000		1,250,000
Service Charges	807,994	2,286,281	2,408,360		2,408,360	2,099,340		2,099,340
Other Revenue	1,055,731	215,080	150,000		150,000	150,000		150,000
Total Revenue	8,419,402	4,904,218	5,625,595		5,625,595	5,586,055	(2,062,175)	3,523,880
Expenditures								
Operating Programs								
Public Safety								
Public Utilities								
Transportation								
Leisure, Cultural and Social Services		39,494						
Community and Economic Development								
General Government								
Total Operating Programs		39,494						
Bulk Power Purchase								
Other Purchases								
Capital Projects	5,271,183	9,367,650	416,550	(1,430,088)	7,362,396	1,919,550		1,919,550
Debt Service								
Total Expenditures	5,271,183	9,407,144	416,550	(1,430,088)	7,362,396	1,919,550		1,919,550
Revenues/Expenditures (Over/Under)	3,148,219	(4,502,926)	5,209,045	1,430,088	(1,736,801)	3,666,505	(2,062,175)	1,604,330
Other Sources (Uses)								
Operating Transfers In	4,573,952	1,982,180	350,000	265,177	615,177	350,000	(350,000)	
Operating Transfers Out	(4,899,026)	(4,168,097)	(1,954,994)	(1,388,852)	(3,498,846)	(2,159,954)	(2,616,000)	(4,775,954)
Other Sources (Uses)		9,067		(890,000)	(890,000)			
Proceeds from Debt Financing	13,395,749				4,932,279			
Total Other Sources (Uses)	13,070,675	(2,176,850)	(1,604,994)	(2,013,675)	1,158,610	(1,809,954)	(2,966,000)	(4,775,954)
Fund Balance Beginning of the Year	3,159,294	19,378,188	4,587,909	8,110,503	12,698,412	8,191,960	3,928,261	12,120,221
Fund Balance End of the Year								
Reserved for Debt Service					1,679,480			1,679,480
Designated Reserve	19,378,188	12,698,412	8,191,960	2,248,781	10,440,741	10,048,511	(2,779,394)	7,269,117
Unreserved								
Total Fund Balance	19,378,188	12,698,412	8,191,960	3,928,261	12,120,221	10,048,511	(1,099,914)	8,948,597

2004-2005 FINANCIAL PLAN AND SUMMARY

CHANGES IN FUND BALANCE - TRANSPORTATION DEVELOPMENT ACT FUND

	2001-2002	2002-2003	2003-2004		2003-2004 Revised Budget	2004-2005 Budget		2004-2005 Revised Budget
	Actual	Actual	Budget	Changes			Changes	
Revenues								
Tax Revenues								
Licenses and Permits								
Fines and Forfeitures								
Investment/Property Revenues	2,715	2,266						
Intergovernmental Revenues	1,846,183	36,645	1,750,000	(1,710,633)	39,367	1,750,000	(1,710,633)	39,367
Service Charges								
Other Revenue								
Total Revenue	<u>1,848,898</u>	<u>38,911</u>	<u>1,750,000</u>	<u>(1,710,633)</u>	<u>39,367</u>	<u>1,750,000</u>	<u>(1,710,633)</u>	<u>39,367</u>
Expenditures								
Operating Programs								
Public Safety								
Public Utilities								
Transportation								
Leisure, Cultural and Social Services								
Community and Economic Development								
General Government								
Total Operating Programs								
Bulk Power Purchase								
Other Purchases								
Capital Projects	28,888	75,622	48,000		48,000			
Debt Service								
Total Expenditures	<u>28,888</u>	<u>75,622</u>	<u>48,000</u>		<u>48,000</u>			
Revenues/Expenditures (Over/Under)	<u>1,820,010</u>	<u>(36,711)</u>	<u>1,702,000</u>	<u>(1,710,633)</u>	<u>(8,633)</u>	<u>1,750,000</u>	<u>(1,710,633)</u>	<u>39,367</u>
Other Sources (Uses)								
Operating Transfers In								
Operating Transfers Out	(1,502,650)	(329,802)	(1,816,156)	1,750,000	(66,156)	(1,816,156)	1,750,000	(66,156)
Other Sources (Uses)				68,405	68,405		26,790	26,790
Proceeds from Debt Financing								
Total Other Sources (Uses)	<u>(1,502,650)</u>	<u>(329,802)</u>	<u>(1,816,156)</u>	<u>1,818,405</u>	<u>2,249</u>	<u>(1,816,156)</u>	<u>1,776,790</u>	<u>(39,366)</u>
Fund Balance Beginning of the Year	55,537	372,897	193,774		193,774	79,618	107,772	187,390
Fund Balance End of the Year								
Reserved for Debt Service								
Designated Reserve	372,897	6,384	79,618	107,772	187,390	13,461	173,929	187,390
Unreserved								
Total Fund Balance	<u>372,897</u>	<u>6,384</u>	<u>79,618</u>	<u>107,772</u>	<u>187,390</u>	<u>13,461</u>	<u>173,929</u>	<u>187,390</u>

2004-2005 FINANCIAL PLAN AND SUMMARY

CHANGES IN FUND BALANCE - CDBG FUND

	2001-2002	2002-2003	2003-2004		2003-2004	2004-2005		2004-2005
	Actual	Revised Budget	Budget	Changes	Revised Budget	Budget	Changes	Revised Budget
Revenues								
Tax Revenues								
Licenses and Permits								
Fines and Forfeitures								
Investment/Property Revenues								
Intergovernmental Revenues	616,167	849,670	1,089,110		1,089,110	1,089,110		1,089,110
Service Charges								
Other Revenues								
Total Revenue	616,167	849,670	1,089,110		1,089,110	1,089,110		1,089,110
Expenditures								
Operating Programs								
Public Safety								
Public Utilities								
Transportation								
Leisure, Cultural and Social Services								
Community and Economic Development								
General Government								
Total Operating Programs								
Bulk Power Purchase								
Other Purchases								
Capital Projects	616,167	849,670	1,089,110		1,089,110	1,089,110		1,089,110
Debt Service								
Total Expenditures	616,167	849,670	1,089,110		1,089,110	1,089,110		1,089,110
Revenues/Expenditures (Over/Under)								
Other Sources (Uses)								
Operating Transfers In								
Operating Transfers Out								
Other Sources (Uses)								
Total Other Sources (Uses)								
Fund Balance Beginning of the Year								
Fund Balance End of the Year								
Reserved for Debt Service								
Designated Reserve								
Unreserved								
Total Fund Balance								

2004-2005 FINANCIAL PLAN AND SUMMARY

CHANGES IN FUND BALANCE - POLICE SPECIAL REVENUE FUND

	2001-2002	2002-2003	2003-2004		2003-2004	2004-2005		2004-2005
	Actual	Revised Budget	Budget	Changes	Revised Budget	Budget	Changes	Revised Budget
Revenues								
Tax Revenues								
Licenses and Permits								
Fines and Forfeitures								
Investment/Property Revenues	23,402	6,890						
Intergovernmental Revenues	626,732	335,924						
Service Charges								
Other Revenue								
Total Revenue	650,134	342,814						
Expenditures								
Operating Programs								
Public Safety	467,571	153,828						
Public Utilities								
Transportation								
Leisure, Cultural and Social Services								
Community and Economic Development								
General Government								
Total Operating Programs	467,571	153,828						
Bulk Power Purchase								
Other Purchases								
Capital Projects		101,530						
Debt Service								
Total Expenditures	467,571	255,358						
Revenues/Expenditures (Over/Under)	182,563	87,456						
Other Sources (Uses)								
Operating Transfers In	39,748	9,891						
Operating Transfers Out	(41,229)	(77,671)						
Other Sources (Uses)								
Total Other Sources (Uses)	(1,481)	(67,780)						
Fund Balance Beginning of the Year	187,808	368,890	388,566		388,566	388,566		388,566
Fund Balance End of the Year								
Reserved for Debt Service								
Designated Reserve								
Unreserved	368,890	388,566	388,566		388,566	388,566		388,566
Total Fund Balance	368,890	388,566	388,566		388,566	388,566		388,566

2004-2005 FINANCIAL PLAN AND SUMMARY

CHANGES IN FUND BALANCE - STREET FUND

	2001-2002	2002-2003	2003-2004		2003-2004 Revised	2004-2005		2004-2005 Revised
	Actual	Actual	Budget	Changes	Budget	Budget	Changes	Budget
Revenues								
Tax Revenues	775,524	790,560	838,370		838,370	886,155		886,155
Licenses and Permits								
Fines and Forfeitures								
Investment/Property Revenues	84,500	80,308						
Intergovernmental Revenues	10,139,549	1,891,337	5,217,000		5,217,000	8,482,000		8,482,000
Service Charges	1,333,525	2,096,206	1,144,000		1,144,000	1,355,000		1,355,000
Other Revenue	24,746	40,278	20,000		20,000			
Total Revenue	12,357,844	4,898,689	7,219,370		7,219,370	10,723,155		10,723,155
Expenditures								
Operating Programs								
Public Safety								
Public Utilities								
Transportation		24,864						
Leisure, Cultural and Social Services								
Community and Economic Development								
General Government								
Total Operating Programs		24,864						
Bulk Power Purchase								
Other Purchases								
Capital Projects	11,626,452	2,690,992	5,532,700		5,532,700	9,796,880		9,796,880
Debt Service								
Total Expenditures	11,626,452	2,715,856	5,532,700		5,532,700	9,796,880		9,796,880
Revenues/Expenditures (Over/Under)	731,392	2,182,833	1,686,670		1,686,670	926,275		926,275
Other Sources (Uses)								
Operating Transfers In	538,470		150,000	(150,000)		150,000	(150,000)	
Operating Transfers Out	(1,645,871)	(1,601,998)	(1,411,277)	(711,003)	(2,122,280)	(1,411,277)		(1,411,277)
Other Sources (Uses)								
Total Other Sources (Uses)	(1,107,401)	(1,601,998)	(1,261,277)	(861,003)	(2,122,280)	(1,261,277)	(150,000)	(1,411,277)
Fund Balance Beginning of the Year	2,806,972	2,430,963	6,078,110	(3,066,312)	3,011,798	6,503,502	(3,927,315)	2,576,187
Fund Balance End of the Year								
Reserved for Debt Service								
Designated Reserve								
Unreserved	2,430,963	3,011,798	6,503,502	(3,927,315)	2,576,187	6,168,500	(4,077,315)	2,091,185
Total Fund Balance	2,430,963	3,011,798	6,503,502	(3,927,315)	2,576,187	6,168,500	(4,077,315)	2,091,185

2004-2005 FINANCIAL PLAN AND SUMMARY

CHANGES IN FUND BALANCE - DEBT SERVICE FUND

	2001-2002	2002-2003	2003-2004		2003-2004	2004-2005		2004-2005
	Actual	Revised Budget	Budget	Changes	Revised Budget	Budget	Changes	Revised Budget
Revenues								
Tax Revenues								
Licenses and Permits								
Fines and Forfeitures								
Investment/Property Revenues								
Intergovernmental Revenues								
Service Charges								
Other Revenue								
Total Revenue								
Expenditures								
Operating Programs								
Public Safety								
Public Utilities								
Transportation								
Leisure, Cultural and Social Services								
Community and Economic Development								
General Government								
Total Operating Programs								
Bulk Power Purchase								
Other Purchases								
Capital Projects								
Debt Service	1,233,699	1,950,040	1,671,446		1,671,446	1,671,671		1,671,671
Total Expenditures	1,233,699	1,950,040	1,671,446		1,671,446	1,671,671		1,671,671
Revenues/Expenditures (Over/Under)	(1,233,699)	(1,950,040)	(1,671,446)		(1,671,446)	(1,671,671)		(1,671,671)
Other Sources (Uses)								
Operating Transfers In	1,233,699	1,950,040	1,671,446		1,671,446	1,671,671		1,671,671
Operating Transfers Out								
Other Sources (Uses)								
Total Other Sources (Uses)	1,233,699	1,950,040	1,671,446		1,671,446	1,671,671		1,671,671
Fund Balance Beginning of the Year								
Fund Balance End of the Year								
Reserved for Debt Service								
Designated Reserve								
Unreserved								
Total Fund Balance								

2004-2005 FINANCIAL PLAN AND SUMMARY

CHANGES IN FUND BALANCE - WATER FUND

	2001-2002	2002-2003	2003-2004		2003-2004	2004-2005		2004-2005
	Actual	Actual	Budget	Changes	Revised Budget	Budget	Changes	Revised Budget
Revenues								
Tax Revenues								
Licenses and Permits								
Fines and Forfeitures								
Investment/Property Revenues	28,054	15,597	9,830		9,830	10,220		10,220
Intergovernmental Revenues								
Service Charges	4,617,785	6,140,820	5,917,845		5,917,845	6,187,165	2,000,000	8,187,165
Other Revenue	345,795	2,990,340	245,000		245,000	249,000		249,000
Total Revenue	4,991,634	9,146,757	6,172,675		6,172,675	6,446,385	2,000,000	8,446,385
Expenditures								
Operating Programs								
Public Safety								
Public Utilities	2,505,539	2,536,719	3,215,800	(93,285)	3,122,515	3,199,415	(41,994)	3,157,421
Transportation								
Leisure, Cultural and Social Services								
Community and Economic Development								
General Government								
Total Operating Programs	2,505,539	2,536,719	3,215,800	(93,285)	3,122,515	3,199,415	(41,994)	3,157,421
Bulk Power Purchase								
Other Purchases		49,925	37,185		37,185			
Capital Projects		6,401,075	2,625,930		2,625,930	4,019,840	800,500	4,820,340
Debt Service	227,283	2,324,861	226,699		226,699	226,767		226,767
Total Expenditures	2,732,822	11,262,655	6,105,614	(93,285)	6,012,329	7,446,022	758,506	8,204,528
Revenues/Expenditures (Over/Under)	2,258,812	(2,115,898)	67,061	93,285	160,346	(999,637)	1,241,494	241,857
Other Sources (Uses)								
Operating Transfers In	312,563	40,646						
Operating Transfers Out	(1,186,209)	(913,767)	(902,508)	(17,935)	(920,443)	(902,508)	(28,792)	(931,300)
Other Sources (Uses)	(2,245,425)	1,370,508				600,000	(636,400)	(56,400)
Proceeds from Debt financing		3,000,000 *						
Total Other Sources (Uses)	(3,119,071)	3,497,387	(902,508)	(17,935)	(920,443)	(302,508)	(685,192)	(987,700)
Fund Balance Beginning of the Year	994,107	133,848	2,486,141	(970,804)	1,515,337	1,650,694	(895,454)	755,240
Fund Balance End of the Year								
Reserved for Debt Service								
Designated Reserve	133,848	1,515,337	1,650,689	(895,449)	755,240	348,549	(339,152)	9,397
Unreserved								
Total Fund Balance	133,848	1,515,337	1,650,689	(895,454)	755,240	348,549	(339,152)	9,397

* Proceeds from the Environmental Abatement Program for the PCE/TCE expenditures

2004-2005 FINANCIAL PLAN AND SUMMARY

CHANGES IN FUND BALANCE - WASTEWATER FUND

	2001-2002	2002-2003	2003-2004		2003-2004	2004-2005		2004-2005
	Actual	Actual	Budget	Changes	Revised Budget	Budget	Changes	Revised Budget
Revenues								
Tax Revenues								
Licenses and Permits								
Fines and Forfeitures								
Investment/Property Revenues	231,760	304,024	205,645	59,029	264,674	205,645	244,937	450,582
Intergovernmental Revenues								
Service Charges	4,391,091	6,919,475	6,652,250	664,328	7,316,578	6,858,300	2,116,478	8,974,778
Other Revenue	754,123	293,457						
Total Revenue	<u>5,376,974</u>	<u>7,516,956</u>	<u>6,857,895</u>	<u>723,357</u>	<u>7,581,252</u>	<u>7,063,945</u>	<u>2,361,415</u>	<u>9,425,360</u>
Expenditures								
Operating Programs								
Public Safety								
Public Utilities	3,774,025	3,527,937	3,848,145	344,676	4,200,021	3,937,305	309,796	4,247,101
Transportation								
Leisure, Cultural and Social Services								
Community and Economic Development								
General Government								
Total Operating Programs	<u>3,774,025</u>	<u>3,527,937</u>	<u>3,848,145</u>	<u>344,676</u>	<u>4,200,021</u>	<u>3,937,305</u>	<u>309,796</u>	<u>4,247,101</u>
Bulk Power Purchase								
Other Purchases		50,112	206,455		206,455			
Capital Projects		1,340,521	19,974,500	11,625,150	31,599,650	2,881,340	300,500	3,181,840
Debt Service	825,131	825,557	817,465		817,465	816,440	1,621,975	2,438,415
Total Expenditures	<u>4,599,156</u>	<u>5,744,127</u>	<u>24,846,565</u>	<u>11,969,826</u>	<u>36,823,591</u>	<u>7,635,085</u>	<u>2,232,271</u>	<u>9,867,356</u>
Revenues/Expenditures (Over/Under)	<u>777,818</u>	<u>1,772,829</u>	<u>(17,988,670)</u>	<u>(11,246,469)</u>	<u>(29,242,339)</u>	<u>(571,140)</u>	<u>129,144</u>	<u>(441,996)</u>
Other Sources (Uses)								
Operating Transfers In	871,395	47,529						
Operating Transfers Out	(1,881,645)	(1,000,290)	(1,099,716)	(42,860)	(1,142,576)	(1,099,716)	(64,578)	(1,164,294)
Other Sources (Uses)	(2,501,363)	1,698,062					(49,350)	(49,350)
Proceeds from Debt Financing			18,000,000 *	14,295,000	32,295,000			
Total Other Sources (Uses)	<u>(3,511,613)</u>	<u>745,301</u>	<u>16,900,284</u>	<u>14,252,140</u>	<u>31,152,424</u>	<u>(1,099,716)</u>	<u>(113,928)</u>	<u>(1,213,644)</u>
Fund Balance Beginning of the Year	2,733,795		2,178,979	339,151	2,518,130	1,090,593	3,337,622	4,428,215
Fund Balance End of the Year								
Reserved for Debt Service				2,169,850	2,169,850		2,169,850	2,169,850
Designated Reserve		2,518,130	1,090,593	1,167,772	2,258,365	(580,263)	248,305	
Unreserved							602,732	602,732
Total Fund Balance	<u></u>	<u>2,518,130</u>	<u>1,090,593</u>	<u>3,337,622</u>	<u>4,428,215</u>	<u>(580,263)</u>	<u>3,352,838</u>	<u>2,772,575</u>

* New financing

2004-2005 FINANCIAL PLAN AND SUMMARY

CHANGES IN FUND BALANCE - ELECTRIC FUND

	2001-2002	2002-2003	2003-2004		2003-2004	2004-2005		2004-2005
	Actual	Actual	Budget	Changes	Revised Budget	Budget	Changes	Revised Budget
Revenues								
Tax Revenues								
Licenses and Permits								
Fines and Forfeitures								
Investment/Property Revenues	1,919,887	6,504,143	1,320,000		1,320,000	1,220,000		1,220,000
Intergovernmental Revenues								
Service Charges	47,837,843	49,267,619	51,831,475		51,831,475	52,604,775		52,604,775
Other Revenue	100,173	75,718	6,500		6,500	6,500		6,500
Total Revenue	49,857,903	55,847,480	53,157,975		53,157,975	53,831,275		53,831,275
Expenditures								
Operating Programs								
Public Safety								
Public Utilities	11,148,606	11,679,473	13,862,020	(544,026)	13,317,994	14,463,990	(130,250)	14,333,740
Transportation								
Leisure, Cultural and Social Services								
Community and Economic Development								
General Government								
Total Operating Programs	11,148,606	11,679,473	13,862,020	(544,026)	13,317,994	14,463,990	(130,250)	14,333,740
Bulk Power Purchase	52,375,146	30,772,425	32,723,000		32,723,000	32,650,000		32,650,000
Other Purchases						105,000		105,000
Capital Projects		3,090,335	5,902,700		5,902,700	5,734,590		5,734,590
Debt Service	2,459,377	7,602,777	7,920,308		7,920,308	6,317,569		6,317,569
Total Expenditures	65,983,129	53,145,010	60,408,028	(544,026)	59,864,002	59,271,149	(130,250)	59,140,899
Revenues/Expenditures (Over/Under)	(16,125,226)	2,702,470	(7,250,053)	544,026	(6,706,027)	(5,439,874)	130,250	(5,309,624)
Other Sources (Uses)								
Operating Transfers In	508,433	47,273						
Operating Transfers Out	(3,266,285)	(2,901,081)	(4,447,499)	(99,643)	(4,547,142)	(4,447,499)	633,113	(3,814,386)
Other Sources (Uses)	4,266,968	(4,431,804)	7,300,000		7,300,000	3,400,000	(373,650)	3,026,350
Proceeds from Debt financing	11,633,507	2,931,555	5,902,700		5,902,700	5,734,590		5,734,590
Total Other Sources (Uses)	13,162,623	(4,354,057)	8,755,201	(99,643)	8,655,558	4,687,091	259,463	4,946,554
Fund Balance Beginning of the Year	5,385,778	2,423,175	4,470,018	(3,698,430)	771,588	5,975,166	(3,254,047)	2,721,119
Fund Balance End of the Year								
Reserved for Debt Service								
Designated Reserve	2,423,175	771,588	5,975,166	(3,254,047)	2,721,119	5,222,383	(2,864,334)	2,358,049
Unreserved								
Total Fund Balance	2,423,175	771,588	5,975,166	(3,254,047)	2,721,119	5,222,383	(2,864,334)	2,358,049

2004-2005 FINANCIAL PLAN AND SUMMARY

CHANGES IN FUND BALANCE - TRANSIT FUND

	2001-2002	2002-2003	2003-2004		2003-2004	2004-2005		2004-2005
	Actual	Actual	Budget	Changes	Revised Budget	Budget	Changes	Revised Budget
Revenues								
Tax Revenues								
Licenses and Permits								
Fines and Forfeitures								
Investment/Property Revenues	(137,061)	(44,774)						
Intergovernmental Revenues	3,443,392	1,997,933	2,693,405	315,392	3,008,797	2,693,405	315,392	3,008,797
Service Charges	234,200	293,046	250,000		250,000	261,000		261,000
Other Revenue	347,091	1,620,444						
Total Revenue	3,887,622	3,866,649	2,943,405	315,392	3,258,797	2,954,405	315,392	3,269,797
Expenditures								
Operating Programs								
Public Safety								
Public Utilities								
Transportation	2,306,402	2,474,765	2,419,430		2,419,430	2,542,285		2,542,285
Leisure, Cultural and Social Services								
Community and Economic Development								
General Government								
Total Operating Programs	2,306,402	2,474,765	2,419,430		2,419,430	2,542,285		2,542,285
Bulk Power Purchase								
Other Purchases			175,000		175,000	175,000		175,000
Capital Projects		2,363,513	55,000		55,000	238,000		238,000
Debt Service								
Total Expenditures	2,306,402	4,838,278	2,649,430		2,649,430	2,955,285		2,955,285
Revenues/Expenditures (Over/Under)	1,581,220	(971,629)	293,975	315,392	609,367	(880)	315,392	314,512
Other Sources (Uses)								
Operating Transfers In	1,173,511	497,920	1,600,000	(881,322)	718,678	1,600,000	(1,600,000)	
Operating Transfers Out	(300,704)	(363,552)	(478,709)		(478,709)	(478,709)		(478,709)
Other Sources (Uses)	(2,454,027)	(1,831,700)	(1,415,266)	1,710,000	1,710,000	(1,120,412)	1,394,233	273,821
Total Other Sources (Uses)	(1,581,220)	(1,697,332)	(293,975)	828,678	1,949,969	879	(205,767)	(204,888)
Fund Balance Beginning of the Year				(2,668,961)	(2,668,961)	0	(109,625)	(109,625)
Fund Balance End of the Year								
Reserved for Debt Service								
Designated Reserve								
Unreserved		(2,668,961)	0	(109,625)	(109,625)	(0)		(0)
Total Fund Balance		(2,668,961)	0	(109,625)	(109,625)	0	(1)	(0)

2004-2005 FINANCIAL PLAN AND SUMMARY

CHANGES IN FUND BALANCE - BENEFITS FUND

	2001-2002	2002-2003	2003-2004		2003-2004 Revised Budget	2004-2005 Budget		2004-2005 Revised Budget
	Actual	Actual	Budget	Changes			Changes	
Revenues								
Tax Revenues								
Licenses and Permits								
Fines and Forfeitures								
Investment/Property Revenues	(37,243)	(10,914)						
Intergovernmental Revenues								
Service Charges	177,945	312,263	284,240	252,369	536,609	294,005	67,325	361,330
Other Revenue	32,821	13,449		11,755	11,755			
Total Revenue	173,523	314,798	284,240	264,124	548,364	294,005	67,325	361,330
Expenditures								
Operating Programs								
Public Safety								
Public Utilities								
Transportation								
Leisure, Cultural and Social Services								
Community and Economic Development								
General Government	3,190,451	3,907,191	4,556,925		4,556,925	5,159,150		5,159,150
Total Operating Programs	3,190,451	3,907,191	4,556,925		4,556,925	5,159,150		5,159,150
Bulk Power Purchase								
Other Purchases								
Capital Projects								
Debt Service								
Total Expenditures	3,190,451	3,907,191	4,556,925		4,556,925	5,159,150		5,159,150
Revenues/Expenditures (Over/Under)	(3,016,928)	(3,592,393)	(4,272,685)	264,124	(4,008,561)	(4,865,145)	67,325	(4,797,820)
Other Sources (Uses)								
Operating Transfers In	3,023,472	3,991,097	3,741,722	530,955	4,272,677	3,741,722	1,183,411	4,925,133
Operating Transfers Out		(128,649)						
Other Sources (Uses)	(19,977)	(254,831)			213,242			
Total Other Sources (Uses)	3,003,495	3,607,617	3,741,722	530,955	4,485,919	3,741,722	1,183,411	4,925,133
Fund Balance Beginning of the Year	(606,462)	(619,895)	2,746,392	(3,351,063)	(604,671)	2,215,429	(2,342,742)	(127,313)
Fund Balance End of the Year								
Reserved for Debt Service								
Designated Reserve								
Unreserved	(619,895)	(604,671)	2,215,429	(2,342,742)	(127,313)	1,092,006	(1,092,006)	0
Total Fund Balance	(619,895)	(604,671)	2,215,429	(2,342,742)	(127,313)	1,092,006	(1,092,006)	0

2004-2005 FINANCIAL PLAN AND SUMMARY

CHANGES IN FUND BALANCE - SELF INSURANCE FUND

	2001-2002	2002-2003	2003-2004		2003-2004	2004-2005		2004-2005
	Actual	Actual	Budget	Changes	Revised Budget	Budget	Changes	Revised Budget
Revenues								
Tax Revenues								
Licenses and Permits								
Fines and Forfeitures								
Investment/Property Revenues	91,684	17,420						
Intergovernmental Revenues	130,395	122,147						
Service Charges								
Other Revenue	162,708	310,657	200,000		200,000	200,000		200,000
Total Revenue	384,787	450,224	200,000		200,000	200,000		200,000
Expenditures								
Operating Programs								
Public Safety								
Public Utilities								
Transportation								
Leisure, Cultural and Social Services								
Community and Economic Development								
General Government	2,060,552	2,194,382	2,711,980	100,000	2,811,980	2,862,500	(130,500)	2,732,000
Total Operating Programs	2,060,552	2,194,382	2,711,980	100,000	2,811,980	2,862,500	(130,500)	2,732,000
Bulk Power Purchase								
Other Purchases								
Capital Projects								
Debt Service								
Total Expenditures	2,060,552	2,194,382	2,711,980	100,000	2,811,980	2,862,500	(130,500)	2,732,000
Revenues/Expenditures (Over/Under)	(1,675,765)	(1,744,158)	(2,511,980)	(100,000)	(2,611,980)	(2,662,500)	130,500	(2,532,000)
Other Sources (Uses)								
Operating Transfers In	807,795	1,407,795	2,711,980	100,000	2,811,980	2,711,980	(130,500)	2,581,480
Operating Transfers Out								
Other Sources (Uses)	(69,052)	103,275						
Total Other Sources (Uses)	738,743	1,511,070	2,711,980	100,000	2,811,980	2,711,980	(130,500)	2,581,480
Fund Balance Beginning of the Year	2,535,894	1,598,872	1,365,784		1,365,784	1,565,784		1,565,784
Fund Balance End of the Year								
Reserved for Debt Service								
Designated Reserve	1,598,872	1,365,784	1,565,784		1,565,784	1,615,264		1,615,264
Unreserved								
Total Fund Balance	1,598,872	1,365,784	1,565,784		1,565,784	1,615,264		1,615,264

2004-2005 FINANCIAL PLAN AND SUMMARY

CHANGES IN FUND BALANCE - VEHICLE & EQUIPMENT REPLACEMENT FUND

	2001-2002	2002-2003	2003-2004		2003-004	2004-2005		2004-2005
	Actual	Budget	Budget	Changes	Revised Budget	Budget	Changes	Revised Budget
Tax Revenues								
Licenses and Permits								
Fines and Forfeitures								
Investment/Property Revenues	21,306							
Intergovernmental Revenues								
Service Charges								
Other Revenue	39,853							
Total Revenue	61,159							
Operating Programs								
Public Safety								
Public Utilities								
Transportation								
Leisure, Cultural and Social Services								
Community and Economic Development								
General Government								
Total Operating Programs								
Bulk Power Purchase								
Other Purchases	820,772	559,222	255,000		255,000	300,000		300,000
Capital Projects						55,500		55,500
Debt Service								
Total Expenditures	820,772	559,222	255,000		255,000	355,500		355,500
Revenues/Expenditures (Over/Under)	(759,613)	(559,222)	(255,000)		(255,000)	(355,500)		(355,500)
Other Sources (Uses)								
Operating Transfers In	738,389	550,079	330,000		330,000	375,000		375,000
Operating Transfers Out	(80,185)	(20,000)						
Other Sources (Uses)								
Cost of Medical Care/Dental, Vision								
Total Other Sources (Uses)	658,204	530,079	330,000		330,000	375,000		375,000
Fund Balance Beginning of the Year	276,189	174,780	40,558	105,079	145,637	115,558	105,079	220,637
Reserved for Debt Service								
Designated Reserve								
Unreserved	174,780	145,637	115,558	105,079	220,637	135,058	105,079	240,137
Total Fund Balance	174,780	145,637	115,558	105,079	220,637	135,058	105,079	240,137

2004-2005 FINANCIAL PLAN AND SUMMARY

CHANGES IN FUND BALANCE - TRUST AND AGENCY FUND

	2001-2002	2002-2003	2003-2004		2003-2004 Revised	2004-2005		2004-2005 Revised
	Actual	Actual	Budget	Changes	Budget	Budget	Changes	Budget
Revenues								
Tax Revenues	204,469	208,318	187,500		187,500	167,000		167,000
Licenses and Permits								
Fines and Forfeitures								
Investment/Property Revenues	18,967	(36,699)						
Intergovernmental Revenues								
Service Charges								
Other Revenue								
Total Revenue	223,436	171,619	187,500		187,500	167,000		167,000
Expenditures								
Operating Programs								
Public Safety								
Public Utilities								
Transportation								
Leisure, Cultural and Social Services	70,000							
Community and Economic Development								
General Government								
Total Operating Programs	70,000							
Bulk Power Purchase								
Other Purchases								
Capital Projects		25,075						
Debt Service								
Total Expenditures	70,000	25,075						
Revenues/Expenditures (Over/Under)	153,436	146,544	187,500		187,500	167,000		167,000
Other Sources (Uses)								
Operating Transfers In								
Operating Transfers Out	(18,361)	(10,318)						
Other Sources (Uses)	(206,223)	(227,558)	(192,880)		(192,880)	(196,005)		(196,005)
Cost of Medical Care/Dental, Vision								
Total Other Sources (Uses)	(224,584)	(237,876)	(192,880)		(192,880)	(196,005)		(196,005)
Fund Balance Beginning of the Year	1,105,232	1,034,084	1,055,073	(112,321)	942,752	1,049,693	(112,321)	937,372
Fund Balance End of the Year								
Reserved for Debt Service								
Designated Reserve								
Unreserved	1,034,084	942,752	1,049,693	(112,321)	937,372	1,020,688	(112,321)	908,367
Total Fund Balance	1,034,084	942,752	1,049,693	(112,321)	937,372	1,020,688	(112,321)	908,367

Section D
FINANCIAL & STATISTICAL TABLES

REVENUES by MAJOR CATEGORY & SOURCE

- **Tax Revenue**
 - **Licenses & Permits**
 - **Fines & Forfeitures**
 - **Investment & Property Revenues**
 - **Revenue from Others**
 - **Service Fees & Charges**
 - **Other Revenue**
-
-

2004-2005 FINANCIAL PLAN AND SUMMARY
REVENUES BY MAJOR CATEGORY AND SOURCE

	2001-2002	2002-2003	2003-2004	2004-2005	Revenue Adjustments	
	Actual	Actual	Recommended Budget	Recommended Budget	03-04	04-05
TAX REVENUES						
Property Tax	5,640,668	6,191,440	6,424,220	6,648,320		(225,600)
Special Assessment	204,469	208,318	187,500	167,000		
Sales & Use Tax	8,284,631	8,639,582	8,755,000	9,105,000		
Public Safety Sales Tax (Prop 172)	230,748	247,317	282,400	307,815		
Street Maintenance Sales Tax (K)	775,524	790,560	838,370	886,155		
Transient Occupancy Tax	438,694	399,759	288,695	288,695		
Waste Removal Franchise Tax	317,875	333,916	317,875	317,875		
Industrial Franchise	44,733	44,517	42,805	42,805		
Gas Franchise	268,724	127,356	268,725	268,725		
Cable TV Franchise	283,428	205,980	200,000	205,000		
Electric Franchise	16,389	17,715	16,390	16,390		
In-Lieu Franchise - Electric	4,783,089	5,671,989	5,881,475	6,059,180		
In-Lieu Franchise - Sewer	939,410	496,648	755,040	794,550		
In-Lieu Franchise - Water	612,015	485,485	715,080	681,940		
In-Lieu Franchise - Refuse	234,839	240,945	240,945	240,945		
Real Property Transfer Tax	172,290	206,725	184,350	184,350		
Total Tax Revenues	23,247,526	24,308,252	25,398,870	26,214,745		(225,600)
LICENSES AND PERMITS						
Animal License	20,715	19,268	21,550	21,980		
Bicycle License	1,157	1,244	1,205	1,230		
Business License Tax	786,924	821,859	818,400	834,765		
Alarm Permits	12,750	26,675	16,950	17,000		
Building Permits	464,256	600,346	530,000	540,000		
Transportation Permit	5,789	4,077	6,020	6,140		
Electric Permits	58,407	72,567	61,000	62,000		
Mechanical Permits (Gas)	46,274	56,020	47,000	48,000		
Plumbing Permits	41,498	54,109	43,000	44,000		
Industrial Refuse Collection Permit	1,000	2,000	1,000	1,000		
Parking Permits	25,680	11,237	9,780	10,000		
Total Licenses and Permits	1,464,450	1,669,402	1,555,905	1,586,115		
FINES AND FORFEITURES						
Vehicle Code Fines	165,983	163,401	166,000	166,000		
Court Fines	10,769	9,833	12,000	12,000		
Parking Fines	79,066	78,238	80,000	80,000		
Parking Fines - DMV Hold	20,746	24,222	20,745	20,745		
False Alarm Penalty			47,190			
Late Payment - Utility Billing	431,295	436,720	448,545	448,545		
Nuisance Fees	2,300	2,800	2,395	2,440		
Library Fines, Fees & Gifts	63,154	56,238	59,000	59,000		
Utility Connections	19,831	19,938	20,625	20,625		
Returned Check Charge	13,068	11,705	13,590	13,590		
Total Fines and Forfeitures	806,212	803,095	870,090	822,945		
INVESTMENT/PROPERTY REVENUES						
Investment Earnings	2,755,141	6,992,598	1,359,029	1,444,937	(385,351)	(199,443)
Sale of City Property	38,119	98,734				
Sale of System (Joint Pole-Elec)	78,715	36,365	20,000	20,000		
Rent of City Property	499,325	510,113	571,895	572,285		
Total Investment/Property Revenues	3,371,300	7,637,810	1,950,924	2,037,222	(385,351)	(199,443)
INTERGOVERNMENTAL REVENUES						
Motor Vehicle In-Lieu Tax	3,275,523	3,429,824	3,532,591	3,532,591		
Other Grants & Subventions	138,581	278,469	200,400			
Police Training (POST)	72,463	39,423	30,000	30,000		
Cracnet & Drug Suppression Grants	240,978	248,322	241,025	241,025		
Police/Parks Grants	4,832,352	355,680	1,115,430	1,250,000		(69,000)
Asset Seizure	30,138	15,087				
Street Maintenance Measure (K)-reimbursements	4,253,480	7,234	750,000	3,900,000		
Auto Theft Revenue	21,945	17,326				
State Hiway Maintenance	5,066	3,799	5,065	5,065		
Gas Tax Subvention (2105)	334,071	367,620	334,070	334,070		
Gas Tax Subvention (2106)	212,552	237,057	212,550	212,550		
Gas Tax Subvention (2107)	438,382	494,884	438,380	438,380		
Transportation Dev Act (Gen./Allot)	1,846,183	1,763,747	39,367	39,367	(1,710,633)	(1,710,633)
Federal Assistance Section IX	3,419,518	270,831	1,000,000	1,000,000		
CTC Reimbursement	2,600,000	492,807	2,629,000	2,856,000		

2004-2005 FINANCIAL PLAN AND SUMMARY
REVENUES BY MAJOR CATEGORY AND SOURCE

	2001-2002	2002-2003	2003-2004	2004-2005	Revenue Adjustments	
	Actual	Actual	Recommended Budget	Recommended Budget	03-04	04-05
Surface Transportation (ISTEA)/Fed TEA Transit	2,155,000	137,660	163,000			
Streets Federal grants			690,000	741,000		
State Transit Assistance	23,874					
State Special Grants- Transit			2,008,797	2,008,797	315,392	315,392
Parks & Recreation Grants/Allotment	101,283	53,447	128,250	171,280		
State Mandates SB 90	99,297	5,778	8,000	8,000		
CJPRMA Rebate	130,395	122,147				
Community Development Block Grant	616,167	849,670	1,089,110	1,089,110		
Library Grants	223,557	160,329	107,500	91,000		
Traffic Congestion Relief	146,064	154,075				
PERS	356,877					
Total Intergovernmental Revenues	25,573,746	9,695,936	14,722,535	17,948,235	(1,395,241)	(1,464,241)
SERVICE FEES AND CHARGES						
Public Safety Fees						
Fingerprinting	17,418	21,117	20,000	20,000		
Police Record Fees	16,658	185	200	200		
Vehicle Towing	80,295	68,748	81,900	83,535		
Other Police Fees	756	3,008	750	750		
Fix Ticket/Vin Verification	3,170	1,960	3,150	3,150		
Fire Department Services - Other	145	171	245	245		
First Responder Fee-paramedic program				239,040		(239,040)
Animal Shelter Fees	21,246	18,685	21,670	22,105		
Total	139,688	113,874	127,915	369,025		(239,040)
Total	47,266,575	48,872,488	51,375,055	52,148,355		
Sewer Operating Revenues						
City Accounts	15,871	14,956	29,540	30,130		
Other Accounts	3,101,444	3,122,220	4,256,838	5,518,785	457,128	1,681,075
Sewer Connection Fees	735,171	1,394,287	777,000	1,139,403	31,000	250,403
Infrastructure Repl	286,243	2,228,915	2,046,000	2,066,460		
Total	4,138,729	6,760,378	7,109,378	8,754,778	488,128	1,931,478
Water Operating Revenues						
City Accounts	71,805	70,954	92,455	96,155		
Other Accounts	3,719,068	3,519,716	3,672,725	5,819,635		2,000,000
Infrastructure Repl	254,832	1,940,903	1,917,665	1,994,375		
Total	4,045,705	5,531,573	5,682,845	7,910,165		2,000,000
Non-Operating Utility Revenues						
Revenue - Contract Work for City	237,026	275,736	416,420	416,420		
Revenue - Contract Work for Others	164,626	18,886				
Electric Capacity Revenues	169,616	100,509	40,000	40,000		
Water Tap Fees	98,269	162,508				
Sewer Tap Fees	13,461	63,421				
Liftstation Reimbursement	141,753	6,543				
Total	824,751	627,603	456,420	456,420		
Transit Fees						
Dial-A-Ride Passenger Fares	234,200	293,046	250,000	261,000		
Total	234,200	293,046	250,000	261,000		
Park and Recreation Fees						
Revenue from Playgrounds	204,393	194,382	210,000	210,000		
Revenue from Youth/Teen Sports	36,852	62,752	53,000	53,000	(148,600)	(148,600)
Revenue - Indoor/Outdoor Activities	31,846	32,183	30,000	30,000		
Revenue from Aquatics	77,447	74,971	77,500	77,500		
Revenue from Adult Sports	58,087	65,154	59,000	59,000		
BOBS Reimbursements	18,108	30,663	25,000	25,000		
Revenue from Lodi Lake Park	90,489	92,028	96,000	96,000		
Other Park Fees	8,408	9,855				
Admin Services-Parks & Rec	2,355	2,955				
Total	527,985	564,943	550,500	550,500	(148,600)	(148,600)
Community Center Fees						
Swimming	69,731	80,020	101,080	105,080		
Rents	28,113	54,832	29,240	29,825		
Other Fees	95,946	117,605	95,970	113,075		
Total	193,790	252,457	226,290	247,980		

2004-2005 FINANCIAL PLAN AND SUMMARY
REVENUES BY MAJOR CATEGORY AND SOURCE

	2001-2002	2002-2003	2003-2004	2004-2005	Revenue Adjustments	
	Actual	Actual	Recommended Budget	Recommended Budget	03-04	04-05
Community Development Fees						
Plan Check Fees	296,499	338,481	325,000	330,000		
Inspection/Reinspection Fees	6,551	8,862	7,000	7,000		
Planning Fees	85,058	109,314	88,460	90,230		
Total	388,108	456,657	420,460	427,230		
Work for others						
General fund: reimbursable charges(work for other	84,120	9,004	20,000	20,400		
General fund: reimbursable charges(work for other	20,810	35,646	21,645	22,075		
Extra refuse	750		780	795		
General fund: reimbursable charges(work for other	128,548	152,152	133,690	136,365		
Total	234,228	196,802	176,115	179,635		
Public Works Engineering Fees						
Engineering Fees	97,180	133,303	73,000	81,000		
Development Impact Fees	2,712,478	4,823,255	3,320,560	3,153,340	176,200	185,000
Special Inspections	3,517	3,878	3,550	3,550		
Plans & Specs	3,593	3,768	3,500	3,500		
Engineering Inspections	150,717	144,643	85,000	102,000		
Total	2,967,485	5,108,847	4,159,610	4,141,390	176,200	185,000
Benefit and Insurance Fees						
COBRA Admin Fee						
Medical Care	786	46,095	186,050		186,050	
Dental Insurance	48,421	81,876	53,340	53,341	53,340	53,341
Vision Care	334	2,046	2,924	2,924	2,924	2,924
Chiropractic		33	40	40	40	40
Life Insurance	31,741	44,619	101,405	106,475		
Accidental Death Insurance	6,742	7,891	10,015	11,020	10,015	11,020
Unemployment Insurance	52,126	50,492	27,835	28,810		
Long Term Disability	37,795	79,211	155,000	158,720		
Total	177,945	312,263	536,609	361,330	252,369	67,325
Total Service Fees and Charges	61,139,189	69,090,931	71,071,197	75,807,808	768,097	3,796,163
OTHER REVENUE						
Damage to Property Reimbursements	2,867	16,420	2,985	3,040		
Donations/Sale of City property	1,198,196	310,126	238,130	219,030		
Revenues NOC	1,862,689	5,352,563	515,420	508,695	11,755	
Reimbursable charges	2,150					
Revenue by Transfer	11,465					
Total Other Revenue	3,077,367	5,612,380	756,535	730,765	11,755	
REVENUE TOTAL	118,679,790	118,817,806	116,326,056	125,147,835	(1,000,740)	1,906,879

SUMMARY OF SIGNIFICANT EXPENDITURES and STAFFING CHANGES

- **Public Safety**
 - **Public Utilities**
 - **Transportation**
 - **Leisure, Cultural & Social Services**
 - **Community & Economic Development**
 - **General Government**
-
-

Significant Expenditure Requests
Fiscal Year 2004/05
Tentatively Approved

<u>Dept./Request</u>	<u>Approved</u>	<u>Denied</u>
Police		
Reclass Management Anaylist II		\$ 5,185
Hire High Tech Crime Investigator		\$ 69,000
Fire		
Fire Admin. Office Relocation		\$ 40,000
Hire Firefighter (1)		\$ 81,000
Implement Paramedic Program		\$ 506,845
Performance Incentive Bonus	\$ 48,000	
Increase in Physical Exam Costs		\$ 5,000
Increase in Dispatching Contract	\$ 41,000	
MDC Tech. Grant Match		\$ 65,400
SCBC Grant Match		\$ 24,750
Foam Consortium		\$ 4,500
Emergency Vehicle Ops Course		\$ 12,595
PW Water/WasteWater Utilities		
Storm Water Mngmt. Analyst		\$ 66,000
Organizational Eval & Restructure		\$ 25,000
Hire PW Maint. Worker for Plant	\$ 42,725	
Electric Utilities		
Professional Services Increase		\$ 10,000
Contract Automated Meter Reading		\$ 2,000
Replace 4 computers		\$ 7,000
Convert Contract Electric Drafting Tech to FT		\$ -
Hire Electrical Technician	\$ (45,000)	
Convert Contract Utility Equip Specialist to FT		\$ -
Convert Contract Customer Svs Mngr to FT	\$ -	
Convert Program Coord to FT		\$ -
Transportation		
Traffic Monitor Replacement	\$ 17,500	
Parks and Recreation		
PT Intern CAD Operator		\$ 11,495
Refinish Basketball Floors		\$ 5,000

<u>Dept./Request</u>	<u>Approved</u>	<u>Denied</u>
Purchase Sod Cutter		\$ 5,000
Parks Division Office Relocation	\$ 16,000	
Library		
Convert Contract Literacy Prog. Coord to FT		\$ 36,148
Community & Economic Development		
PW Reclass Engineering Positions		\$ 26,400
PW AutoCAD Version Upgrade & Sub. Service		\$ 18,000
Information Systems		
Software Upgrade for Orcom GUI Interface		\$ 11,000
Convert Contracts to FT Senior Programmers		\$ -
City Clerk		
Additional Election Costs	\$ 62,350	
Human Resources		
Additional General Liability	\$ 100,000	
Reduce Workers Comp	\$ (230,000)	
Organizational Support Services - Facilities		
Additional Maintenance New PD Building	\$ 120,000	
Reduction of Janitorial Services	\$ (57,500)	
Increase Rent for Finance New Location	\$ 108,085	
Total:	\$ 223,160	\$ 1,037,318

City of Lodi

Budget Adjustments 2004-05

Item	Amount	Comments	General Fund	Capital	Library	Electric	Water	Sewer	Other
PUBLIC SAFETY									
Police Department									
Overtime	(21,000)		(21,000)						
High Crimes Investigator	(69,000)	1 position	(69,000)						
Transfer of Parking Hearing Officer from CM	15,000		15,000						
Reclass Management analyst	(5,200)		(5,200)						
Animal Shelter Part-time Staff	19,200		19,200						
Supplies, Materials and Services	(41,160)		(41,160)						
	(102,160)		(102,160)						
Fire Department									
Firefighter	(61,000)	1 position	(61,000)						
Defer Paramedic Program	(506,845)	6 positions	(506,845)						
Performance Bonus	48,000	Approved by Council	48,000						
Dispatching Fee	41,000	Approved by Council	41,000						
Vehicle Operations Course	(12,595)		(12,595)						
Supplies, Materials and Services	(65,318)		(65,318)						
	(576,758)		(576,758)						
	(678,918)		(678,918)						
TOTAL PUBLIC SAFETY									

TRANSPORTATION

Transportation	(48,789)		(48,789)						
Supplies, Materials & Services-Streets	17,500		17,500						
Traffic Monitor Equipment	(31,289)		(31,289)						

LEISURE, CULTURAL & SOCIAL SERVICES

Parks and Rec									
P/T CAD Operator	(11,495)		(11,495)						
Vacancies	(142,879)	3 positions	(142,879)						
Refurbish Basketball Floors	(5,000)		(5,000)						
Relocation cost- Parks Office	16,000		16,000						
Supplies, Materials and Services	(127,115)		(127,115)						
	(270,489)		(270,489)						
Community Center									
Roll Back Arts Grant to 2000/01	(25,000)		(25,000)						
Supplies, Materials and Services	(37,374)		(37,374)						
	(62,374)		(62,374)						
	(332,863)		(332,863)						

TOTAL LEISURE, CULTURAL & SOCIAL SERVICES

COMMUNITY & ECONOMIC DEVELOPMENT

Economic Development Coordinator	(115,800)	1 position	(115,800)						
Supplies, Materials and Services-Econ Dev	(3,950)		(3,950)						
Supplies, Materials and Services-Community Promotions	(250)		(250)						

City of Lodi

Budget Adjustments 2004-05

Item	Amount	Comments	General Fund	Capital	Library	Electric	Water	Sewer	Other
Community Development									
Personnel Services	(96,519)	2 positions	(96,519)						
Supplies, Materials and Services	(26,907)		(26,907)						
Community Promotions	(16,050)		(16,050)						
Special Payments	(3,000)		(3,000)						
Public Works									
Vacancies	(111,402)	2 positions	(111,402)						
Reclass 4 Engineering Positions	(26,400)		(26,400)						
Supplies, Materials and Services	(5,777)		(5,777)						
	(406,055)		(406,055)						

GENERAL GOVERNMENT

City Manager

Personnel Services	(37,800)		(37,800)						
Communications	(3,500)		(3,500)						
Supplies, Materials and Services-CM	(14,942)		(14,942)						
Travel	(8,000)		(8,000)						
City-wide Postage	(40,000)	Stop Inserts	(40,000)						
ICMA fee	(6,000)		(6,000)						
Supplies, Materials and Services	(1,500)		(1,500)						
Supplies, Materials and Services-Special Pmts	(10,128)		(10,128)						
Supplies, Materials and Services-Non-Departmental	(480)		(480)						
Supplies, Materials and Services-Telephone Account	(2,155)		(2,155)						
	(124,505)		(124,505)						

City Clerk

Council Travel Account	(10,000)		(10,000)						
Protocol Account	(3,000)		(3,000)						
Election	62,350		62,350						
Supplies, Materials and Services - City Council	(2,453)		(2,453)						
Supplies, Materials and Services	(5,000)		(5,000)						
	41,897		41,897						

City Attorney

Supplies, Materials and Services	(1,532)		(1,532)						
	(1,532)		(1,532)						

Information Systems

Eliminate One Position	(48,353)	1 position	(48,353)						
Supplies, Materials and Services	(38,589)		(38,589)						
	(86,942)		(86,942)						

Finance Department

Reclassify Accountant position to Management Analyst									
Vacancies	(140,923)	3 positions	(140,923)						
Supplies, Materials and Services	(30,983)		(30,983)						
Shift Field Services to Electric	(414,000)	No immediate savings	(414,000)						
	(585,906)		(585,906)						

City of Lodi

Budget Adjustments 2004-05

Item	Amount	Comments	General Fund	Capital	Library	Electric	Water	Sewer	Other
Human Resources									
Supplies, Materials and Services	(28,682)		(28,682)						
Leadership Lodi and UOP	(5,400)		(5,400)						
	(34,082)		(34,082)						
Facilities Service									
Vacancies	(93,423)	2 positions	(93,423)						
Maintenance - Police Department	(8,500)		(8,500)						
Reduce Janitorial Services	(57,500)		(57,500)						
Rental Finance Department	108,100		108,100						
	(51,323)		(51,323)						
Public Works									
Supplies, Materials and Services	(72,014)		(72,014)						
	(72,014)		(72,014)						
	(914,407)		(914,407)						
Recurring Expenditure Changes	(2,363,532)		(2,363,532)						
One-Time Adjustments to Expenditures									
Suspend Admin Leave Payout	(150,000)	Negotiable	(150,000)			(57,625)	(6,915)	(13,830)	
Workers' Comp	(230,500)		(152,130)						
Audit of Envision	250,000		67,000			20,000	125,000	125,000	
General Liability	100,000		190,000				2,000	11,000	
PERS Increase	190,000		400,000						
Golden Handshake	559,500		354,870			(37,625)	120,085	122,170	
One-Time Expenditure Changes									
One-Time Adjustments to Revenues									
State Take Away	705,000		112,800	67,680	45,120	373,650	56,400	49,350	
Suspend Property Tax transfer to Capital	(1,994,495)		(1,994,495)	1,994,495					
One-Time Adjustments to Revenues	(1,289,495)		(1,881,695)	2,062,175	45,120	373,650	56,400	49,350	
One-Time Adjustments to Other Sources /Uses									
Transfer to General Fund	(2,616,000)		(2,616,000)	2,616,000					
Transfer of Field Services to EU	414,000		414,000			(414,000)			
Increase in transfer to Benefits Fund	913,748		913,748						
Decrease in projected revenues/SAVINGS	901,020		901,020						
Eliminate deficit in Transportation Fund	26,790		26,790						
Eliminate Other sources and Uses:									
Vacancies	1,000,000		1,000,000						
Carry-over	250,000		250,000						
Estimated revenues	233,237		233,237						
	1,122,795		1,122,795	2,616,000		(414,000)			890,000
Total Adjustment to Fund Balance	(1,970,732)		(2,767,562)	4,678,175	45,120	(77,975)	176,485	171,520	890,000

INTERFUND TRANSFERS

- **General Fund**
 - **Library Fund**
 - **Street Fund**
 - **Transportation Fund**
 - **CDBG Fund**
 - **Police Special Revenue Fund**
 - **Capital Outlay Fund**
 - **Equipment Fund**
 - **Debt Service Fund**
 - **Water Fund**
 - **Wastewater Fund**
 - **Electric Fund**
 - **Transit Fund**
 - **Child Care Service Fund**
 - **Benefits Fund**
 - **Self Insurance Fund**
 - **Trust & Agency Fund**
-
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INTERFUND TRANSACTIONS - OPERATING TRANSFERS

Exhibit F Page 1

2004-2005 FINANCIAL PLAN AND SUMMARY

INTERFUND TRANSACTIONS - OPERATING TRANSFERS

	2001-2002	2002-2003	2003-2004	2003-2004	2003-2004	2004-2005	2003-2004	2004-2005
	Actual	Actual	Requested Budget	Difference	Revised Budget	Budget	Revised Budget	Revised Budget
TRANSPORTATION DEVELOPMENT ACT FUND								
Total Transfers In	-	-	-	-	-	-	-	-
Operating Transfers Out	(1,502,650)	(73,437)	(66,156)		(66,156)	(66,156)	(66,156)	(66,156)
Cost of Services Transactions			(150,000)		(150,000)	(150,000)	-	-
Street Fund			(1,600,000)		(1,600,000)	(1,600,000)	-	-
Transit Fund			(1,816,156)		(1,816,156)	(1,816,156)	(66,156)	(66,156)
Total Transfers Out	(1,502,650)	(329,802)	(1,816,156)	-	(1,816,156)	(1,816,156)	(66,156)	(66,156)
TOTAL TRANSPORTATION DEVELOPMENT ACT	(1,502,650)	(329,802)	(1,816,156)	-	(1,816,156)	(1,816,156)	(66,156)	(66,156)
POLICE SPECIAL REVENUE FUND								
Operating Transfers In	39,748	9,891						
Total Transfers In	39,748	9,891						
Operating Transfers Out	(41,229)	(77,671)						
Total Transfers	(41,229)	(77,671)						
TOTAL POLICE SPECIAL REVENUE FUND	(1,481)	(67,780)						
CAPITAL OUTLAY FUND								
Operating Transfers In	3,073,952				265,177			
Total Transfers	3,073,952				265,177			
General Fund	1,500,000	30,300						
General Fund-reroofing- East Pine/asbestos		1,500,000						
Electric Fund		101,880						
Total Transfers In	350,000	350,000			350,000	350,000		
Operating Transfers Out	4,573,952	1,982,180			350,000	350,000		
Cost of Services	(3,240,327)							
General Fund-Arts in Public Places Board								
General Fund - Fire Truck Lease Purchase-IMF (1216)								
Computer Replacement Fund		(123,312)	(3,100)		(3,100)	(3,100)	(3,100)	(3,100)
Vehicle Maintenance Fund		(75,000)	(105,448)		(105,448)	(110,183)	(110,183)	(110,183)
General Fund -Administration costs	(423,000)	(75,000)	(75,000)		(75,000)	(75,000)	(75,000)	(75,000)
Debt Service		(425,000)	(100,000)		(255,000)	(255,000)	(300,000)	(300,000)
Other Transfers	(1,233,699)	(1,460,147)			(1,116,000)	(1,116,000)	(1,116,000)	(1,116,000)
Total Transfers Out	(4,899,026)	(1,950,040)	(1,671,446)		(1,671,446)	(1,671,446)	(1,671,446)	(1,671,446)
TOTAL CAPITAL OUTLAY FUND	(325,074)	(134,598)	(1,954,994)	(155,000)	(2,109,994)	(2,159,954)	(1,500,000)	(1,500,000)
VEHICLE EQUIPMENT MAINTENANCE FUND								
Operating Transfers In	313,389	50,079						
Capital Outlay Fund	425,000	500,000	175,000		330,000	375,000	330,000	375,000
Total Transfers In	738,389	550,079	175,000	-	330,000	375,000	330,000	375,000
Operating Transfer Out	(13,185)	(20,000)						
Equipment Replacement Fund	(67,000)							
Total Transfers Out	(80,185)	(20,000)						
TOTAL VEHICLE MAINTENANCE FUND	658,204	530,079	175,000	155,000	330,000	375,000	330,000	375,000

2004-2005 FINANCIAL PLAN AND SUMMARY

INTERFUND TRANSACTIONS - OPERATING TRANSFERS

	2001-2002	2002-2003	2003-2004	2003-2004	2003-2004	2004-2005	2004-2005
	Actual	Actual	Requested Budget	Difference	Revised Budget	Budget	Revised Budget
DEBT SERVICE FUND							
Operating Transfers In							
Capital Outlay Fund	1,233,699	1,950,040	1,671,446		1,671,446	1,671,671	1,671,671
Total Transfers In	1,233,699	1,950,040	1,671,446	-	1,671,446	1,671,671	1,671,671
TOTAL DEBT SERVICE FUND	1,233,699	1,950,040	1,671,446	-	1,671,446	1,671,671	1,671,671
WATER FUND							
Operating Transfers In	312,563	40,646					
Total Transfers	312,563	40,646	-	-	-	-	-
Operating Transfers Out							
Cost of Services Transactions	(680,288)	(680,288)	(685,480)		(685,480)	(685,480)	(685,480)
Benefits Fund	(17,896)	(17,896)	(112,254)		(112,254)	(128,184)	(145,956)
Insurance Funds	(72,065)	(72,065)	(104,774)		(104,774)	(104,774)	(97,859)
General Fund	(12,500)					(2,000)	(2,000)
Additional transfer to General Liability							
Total Transfers	(403,460)	(19,500)					
Total Transfers Out	(1,186,209)	(913,767)	(902,508)	-	(902,508)	(920,438)	(931,295)
TOTAL WATER FUND	(873,646)	(873,121)	(902,508)	-	(902,508)	(920,438)	(931,295)
WASTEWATER FUND							
Operating Transfers In	871,395	47,529					
Total Transfers In	871,395	47,529	-	-	-	-	-
Operating Transfers Out							
Cost of Services Transactions	(537,354)	(537,354)	(665,859)		(665,859)	(665,859)	(665,859)
General Fund	(12,500)						
General Fund-additional street sweeping (storm drains)	(82,000)	(82,000)					
Benefits Fund	(17,894)	(17,894)	(224,503)		(224,503)	(256,360)	(291,908)
Insurance Funds	(102,097)	(102,097)	(209,354)		(209,354)	(209,354)	(195,524)
Additional transfer for General Liability		(229,705)				(11,000)	(11,000)
Total Transfers	(1,129,800)	(31,240)					
Total Transfers Out	(1,881,645)	(1,000,290)	(1,099,716)	-	(1,099,716)	(1,142,573)	(1,164,291)
TOTAL WASTEWATER FUND	(1,010,250)	(952,761)	(1,099,716)	-	(1,099,716)	(1,142,573)	(1,164,291)

2004-2005 FINANCIAL PLAN AND SUMMARY

INTERFUND TRANSACTIONS - OPERATING TRANSFERS

	2001-2002	2002-2003	2003-2004	2003-2004	2003-2004	2004-2005	2003-2004	2004-2005
	Actual	Actual	Requested	Difference	Revised	Budget	Revised	Budget
ELECTRIC FUND								
Operating Transfers In	508,433	47,273	-	-	-	-	-	-
Total Transfers In	508,433	47,273	-	-	-	-	-	-
Operating Transfers Out								
Cost of Services Transactions	(1,697,136)	(1,697,136)	(2,787,048)		(2,787,048)	(2,787,048)	(2,787,048)	(2,373,048)
Benefits Fund	(39,368)	(39,368)	(561,260)		(561,260)	(561,260)	(640,903)	(729,772)
Insurance Funds	(206,649)	(206,649)	(617,691)		(617,691)	(617,691)	(617,691)	(560,066)
General Fund CIP	(350,000)	(350,000)	(350,000)		(350,000)	(350,000)	(350,000)	-
General Fund - IS Personnel cost		(77,000)	(131,500)		(131,500)	(131,500)	(131,500)	(131,500)
Additional transfer for General Liability		(369,572)				(20,000)		(20,000)
Total Transfers	(973,132)	(161,356)						
Total Transfers Out	(3,266,285)	(2,901,081)		(4,447,499)	(4,447,499)	(4,447,499)	(4,547,142)	(3,814,386)
TOTAL ELECTRIC FUND	(2,757,852)	(2,853,808)	(4,447,499)	-	(4,447,499)	(4,447,499)	(4,547,142)	(3,814,386)

TRANSIT FUND

Operating Transfers In								
Transportation Development Act								
Total Transfers	1,173,511	497,920	1,600,000		1,600,000	1,600,000	718,678	-
Total Transfers In	1,173,511	497,920	1,600,000		1,600,000	1,600,000	718,678	-
Operating Transfers Out								
Cost of Services Transactions		(355,811)	(470,709)		(470,709)	(470,709)	(470,709)	(470,709)
Benefits Fund		(7,741)	(8,000)		(8,000)	(8,000)	(8,000)	(8,000)
Total Transfers	(300,704)							
Total Transfers Out	(300,704)		(478,709)		(478,709)	(478,709)	(478,709)	(478,709)
TOTAL TRANSIT FUND	872,807	134,368	1,121,291	-	1,121,291	1,121,291	239,969	(478,709)

BENEFITS FUND

Operating Transfers In								
General Fund								
Electric Fund	282,729	282,729	2,710,706		2,710,706	2,710,706	3,114,231	3,624,498
Wastewater Fund	39,368	39,368	561,260		561,260	561,260	640,903	729,772
Water Fund	17,896	17,896	224,503		224,503	224,503	256,360	291,908
General Fund - Cost of Medical		2,821,948	112,254		112,254	112,254	128,184	145,956
Electric Fund-Medical		369,572						
Sewer-Medical		229,705						
Water Fund-medical		124,018						
Library-medical		80,226	125,000		125,000	125,000	125,000	125,000
Transit Fund		7,741	8,000		8,000	8,000	8,000	8,000
Total Transfers	2,665,585							
Total Transfers In	3,023,472	3,991,097	3,741,722		3,741,722	3,741,722	4,272,677	4,925,133
Operating Transfers Out								
Total Transfers from April Exp Report								
Total Transfers		(128,649)						
Total Transfers Out		(128,649)						
TOTAL BENEFITS FUND	3,023,472	3,862,448	3,741,722	-	3,741,722	3,741,722	4,272,677	4,925,133

2004-2005 FINANCIAL PLAN AND SUMMARY

INTERFUND TRANSACTIONS - OPERATING TRANSFERS

	2001-2002		2002-2003		2003-2004		2003-2004		2003-2004		2004-2005		2004-2005	
	Actual		Actual		Requested Budget		Difference		Revised Budget		Budget		Revised Budget	
SELF INSURANCE FUND														
Operating Transfers In														
General Fund	426,984		1,026,984		1,780,161				1,780,161		1,780,161		1,847,161	1,695,031
Electric Fund	206,649		206,649		617,691				617,691		617,691		637,691	580,066
Wastewater Fund	102,097		102,097		209,354				209,354		209,354		220,354	206,524
Water Fund	72,065		72,065		104,774				104,774		104,774		106,774	99,859
Total Transfers In	807,795		1,407,795		2,711,980		-		2,711,980		2,711,980		2,811,980	2,581,480
TOTAL SELF INSURANCE FUND	807,795		1,407,795		2,711,980		-		2,711,980		2,711,980		2,811,980	2,581,480
TRUST AND AGENCY FUND														
Operating Transfers Out	(18,361)		(10,318)											
Total Transfers Out	(18,361)		(10,318)		-		-		-		-		-	
TOTAL TRUST AND AGENCY FUND	(18,361)		(10,318)		-		-		-		-		-	
Operating Transfers In	19,230,269		17,487,588		16,775,640				16,930,640		16,980,600		17,911,450	18,135,511
Operating Transfers Out	(19,230,269)		(17,487,588)		(16,775,640)				(16,930,640)		(16,980,600)		(17,911,450)	(18,135,511)

REGULAR POSITIONS

by

DEPARTMENT

- **City Manager**
 - **City Attorney**
 - **City Clerk**
 - **Community Center**
 - **Community Development**
 - **Economic Development**
 - **Electric Utility**
 - **Finance Department**
 - **Fire Department**
 - **Human Resources**
 - **Library**
 - **Parks & Recreation**
 - **Police Department**
 - **Public Works**
-
-

REGULAR POSITIONS BY DEPARTMENT

	2001-02	2002-03	2003-04	2004-05
	Budget	Budget	Budget	<i>Recommended</i> Budget
CITY MANAGER				
City Manager	1.0	1.0	1.0	1.0
Assistant City Manager	0.0	0.0	0.0	0.0
Deputy City Manager	1.0	1.0	1.0	1.0
Management Analyst Trainee I/II	1.0	1.0	1.0	1.0
Secretary to the City Manager	1.0	1.0	1.0	1.0
	<u>4.0</u>	<u>4.0</u>	<u>4.0</u>	<u>4.0</u>
CITY ATTORNEY				
City Attorney	1.0	1.0	1.0	1.0
Deputy City Attorney I/II	1.0	1.0	1.0	1.0
Legal Secretary	1.0	1.0	1.0	1.0
	<u>3.0</u>	<u>3.0</u>	<u>3.0</u>	<u>3.0</u>
CITY CLERK				
Administrative Clerk	0.0	1.0	1.0	1.0
City Clerk	1.0	1.0	1.0	1.0
Deputy City Clerk	2.0	2.0	2.0	2.0
	<u>3.0</u>	<u>4.0</u>	<u>4.0</u>	<u>4.0</u>
COMMUNITY CENTER				
Administrative Clerk	0.0	1.0	1.0	1.0
Administrative Secretary	1.0	1.0	1.0	1.0
Aquatics Coordinator	1.0	1.0	1.0	1.0
Arts Coordinator	1.0	1.0	1.0	1.0
Community Center Director	1.0	1.0	1.0	1.0
Facilities Maintenance Worker	2.0	2.0	2.0	2.0
Senior Services Coordinator	1.0	1.0	1.0	1.0
Sr. Facilities Maintenance Worker	1.0	1.0	1.0	1.0
Stage Technician	1.0	1.0	1.0	1.0
	<u>9.0</u>	<u>10.0</u>	<u>10.0</u>	<u>10.0</u>
COMMUNITY DEVELOPMENT				
Administrative Clerk	2.0	2.0	1.0	1.0
Administrative Secretary	1.0	1.0	1.0	1.0
Building Inspector I/II	3.0	3.0	3.0	3.0
Building Official	1.0	1.0	1.0	1.0
City Planner	1.0	1.0	1.0	1.0
Community Development Director	1.0	1.0	1.0	1.0
Community Improvement Officer	2.0	2.0	2.0	2.0
Community Improvement Manager	1.0	1.0	1.0	1.0
Junior/Assistant/Associate Planner	2.0	2.0	2.0	2.0
Permit Technician	0.0	0.0	1.0	1.0
Sr. Administrative Clerk	1.0	1.0	1.0	1.0
Senior Building Inspector	1.0	1.0	1.0	1.0
Senior Planner	1.0	1.0	1.0	1.0
	<u>17.0</u>	<u>17.0</u>	<u>17.0</u>	<u>17.0</u>
ECONOMIC DEVELOPMENT				
Economic Development Coordinator	1.0	1.0	1.0	0.0
	<u>1.0</u>	<u>1.0</u>	<u>1.0</u>	<u>0.0</u>
ELECTRIC UTILITY				
Administrative Clerk	2.0	2.0	2.0	2.0
Administrative Secretary	1.0	1.0	1.0	1.0
Construction/Maintenance Supervisor	1.0	1.0	1.0	1.0
Customer Service & Program Manager	0.0	0.0	0.0	1.0
Electric Apparatus Mechanic	1.0	1.0	1.0	1.0

REGULAR POSITIONS BY DEPARTMENT

	2001-02	2002-03	2003-04	2004-05
	Budget	Budget	Budget	<i>Recommended</i> Budget
Electric Foreman/Forewoman	4.0	4.0	4.0	4.0
Electric Lineman/Linewoman	10.0	10.0	10.0	10.0
Electric Lineman/Linewoman (Apprentice)	0.0	1.0	1.0	1.0
Electric Meter Technician	1.0	1.0	1.0	1.0
Electric System Supervisor	1.0	1.0	1.0	1.0
Electric Troubleshooter	2.0	2.0	2.0	2.0
Electric Utility Director	1.0	1.0	1.0	1.0
Electric Utility Rate Analyst*	1.0	1.0	1.0	1.0
Electric Utility Superintendent	1.0	1.0	1.0	1.0
Electrical Drafting Technician	1.0	1.0	1.0	1.0
Electrical Engineer	1.0	1.0	0.0	0.0
Electrical Estimator	3.0	3.0	3.0	3.0
Electrical Technician	2.0	2.0	3.0	3.0
Electrician	2.0	2.0	2.0	2.0
Field Service Representative	0.0	0.0	0.0	3.0
Field Services Supervisor	0.0	0.0	0.0	1.0
Manager Business Plan & Marketing*	1.0	1.0	1.0	1.0
Manager Electric Services	1.0	1.0	1.0	1.0
Manager Engineering & Operations	1.0	1.0	1.0	1.0
Manager, Rates & Resources*	1.0	1.0	1.0	1.0
Meter Reader	0.0	0.0	0.0	3.0
Metering Electrician	1.0	1.0	1.0	1.0
Senior Electric Troubleshooter	1.0	1.0	1.0	1.0
Senior Electric Utility Rate Analyst*	1.0	1.0	1.0	1.0
Senior Electrical Estimator	1.0	1.0	1.0	1.0
Senior Power Engineer	0.0	0.0	1.0	1.0
Sr. Administrative Clerk	1.0	1.0	1.0	1.0
Utility Equipment Specialist	1.0	1.0	1.0	1.0
Utility Operations Supervisor	1.0	1.0	1.0	1.0
Utility Service Operator I/II	3.0	3.0	3.0	3.0
Utility Service Operator I/II - Relief	1.0	1.0	1.0	1.0
	<u>50.0</u>	<u>51.0</u>	<u>52.0</u>	<u>60.0</u>

*only three positions will be filled at any one time

FINANCE DEPARTMENT

Accountant I/II	2.0	2.0	2.0	1.0
Accounting Clerk I/II	3.0	4.0	4.0	4.0
Accounting Manager	1.0	1.0	1.0	1.0
Buyer	1.0	1.0	1.0	1.0
Customer Service and Revenue Manager	1.0	1.0	1.0	1.0
Customer Service Representative I/II	7.0	9.0	9.0	9.0
Customer Service Supervisor	1.0	1.0	1.0	1.0
Field Service Representative	3.0	3.0	3.0	0.0
Field Service Supervisor	1.0	1.0	1.0	0.0
Finance Technician	3.0	3.0	3.0	3.0
Finance Director	1.0	1.0	1.0	1.0
Management Analyst				1.0
Meter Reader	3.0	3.0	3.0	0.0
Parking Enforcement Assistant	1.0	0.0	0.0	0.0
Purchasing Technician	1.0	1.0	1.0	1.0
Purchasing Officer	1.0	1.0	1.0	1.0
Senior Accountant	0.0	1.0	1.0	1.0
Senior Customer Service Representative	3.0	3.0	3.0	3.0
Senior Storekeeper	1.0	1.0	1.0	1.0
Storekeeper	1.0	1.0	1.0	1.0
	<u>35.0</u>	<u>38.0</u>	<u>38.0</u>	<u>31.0</u>

REGULAR POSITIONS BY DEPARTMENT

	2001-02	2002-03	2003-04	2004-05 <i>Recommended</i>
	Budget	Budget	Budget	Budget
FIRE DEPARTMENT				
Administrative Secretary	1.0	1.0	1.0	1.0
Fire Battalion Chief	4.0	4.0	4.0	4.0
Fire Captain	12.0	12.0	12.0	12.0
Fire Chief	1.0	1.0	1.0	1.0
Fire Division Chief	2.0	2.0	2.0	2.0
Fire Inspector	1.0	1.0	1.0	1.0
Fire Engineer	16.0	16.0	16.0	16.0
Firefighter I/II	17.0	20.0	23.0	23.0
Paramedic/Firefighters	0.0	0.0	0.0	0.0
Sr. Administrative Clerk	1.0	1.0	1.0	1.0
	<u>55.0</u>	<u>58.0</u>	<u>61.0</u>	61.0
HUMAN RESOURCES				
Administrative Clerk	1.0	1.0	1.0	1.0
Administrative Secretary	1.0	1.0	1.0	1.0
Human Resources Director	1.0	1.0	1.0	1.0
Human Resources Technician	1.0	1.0	1.0	1.0
Management Analyst Trainee I/II	1.0	1.0	1.0	1.0
Risk Manager	0.0	0.0	1.0	1.0
Senior Human Resources Analyst	1.0	1.0	0.0	0.0
	<u>6.0</u>	<u>6.0</u>	<u>6.0</u>	<u>6.0</u>
INFORMATION SYSTEMS				
Data Processing Manager	1.0	1.0	1.0	1.0
Data Processing Programmer Analyst I/II	1.0	1.0	1.0	1.0
Information Systems Specialist	1.0	1.0	1.0	1.0
Information Systems Manager	1.0	1.0	1.0	1.0
Information Systems Coordinator	1.0	1.0	1.0	1.0
Network Administrator	1.0	1.0	1.0	1.0
Network Technician	1.0	2.0	2.0	2.0
Senior Programmer Analyst	1.0	1.0	1.0	1.0
	<u>8.0</u>	<u>9.0</u>	<u>9.0</u>	<u>9.0</u>
LIBRARY				
Administrative Clerk	0.0	1.0	1.0	1.0
Librarian I/II	3.0	3.0	3.0	3.0
Library Assistant	6.0	6.0	6.0	6.0
Library Services Director	1.0	1.0	1.0	1.0
Senior Library Assistant	3.0	3.0	3.0	3.0
Supervising Librarian	1.0	1.0	1.0	1.0
	<u>14.0</u>	<u>15.0</u>	<u>15.0</u>	<u>15.0</u>
PARKS & RECREATION DEPARTMENT				
Administrative Clerk	1.0	2.0	2.0	2.0
Administrative Secretary	1.0	1.0	1.0	1.0
Laborer/Park Maintenance Worker I/II	8.0	12.0	12.0	12.0
Management Analyst Trainee I/II	1.0	1.0	1.0	1.0
Park Maintenance Worker III	5.0	5.0	5.0	5.0
Park Project Coordinator	1.0	1.0	1.0	1.0
Parks Program Specialist	1.0	1.0	1.0	1.0
Parks & Recreation Director	1.0	1.0	1.0	1.0
Parks Superintendent	1.0	1.0	1.0	1.0
Parks Supervisor	2.0	2.0	2.0	2.0
Recreation Supervisor	4.0	4.0	4.0	4.0
Sr. Administrative Clerk	1.0	1.0	1.0	1.0

REGULAR POSITIONS BY DEPARTMENT

	2001-02	2002-03	2003-04	2004-05
	Budget	Budget	Budget	Recommended Budget
Senior Facilities Maintenance Worker	1.0	1.0	1.0	1.0
Welder-Mechanic	1.0	1.0	1.0	1.0
	29.0	34.0	34.0	34.0
POLICE DEPARTMENT				
Administrative Secretary	1.0	1.0	1.0	1.0
Animal Services Officer	1.0	0.0	0.0	0.0
Animal Services Supervisor	0.0	1.0	1.0	1.0
Assistant Animal Services Officer	2.0	2.0	2.0	2.0
Community Service Officer	3.0	3.0	1.0	1.0
Dispatcher/Jailer	16.0	16.0	18.0	18.0
Dispatcher Supervisor	2.0	2.0	2.0	2.0
Lead Dispatcher/Jailer	2.0	2.0	2.0	2.0
Management Analyst Trainee I/II	1.0	1.0	1.0	1.0
Management Analyst III	0.0	0.0	0.0	0.0
Parking Enforcement Assistant	0.0	1.0	1.0	1.0
Police Captain	2.0	2.0	2.0	2.0
Police Chief	1.0	1.0	1.0	1.0
Police Corporal	8.0	8.0	8.0	8.0
Police Lieutenant	6.0	6.0	6.0	6.0
Police Officer	52.0	52.0	52.0	52.0
Police Records Clerk I/II	5.0	5.0	5.0	5.0
Police Records Clerk Supervisor	1.0	1.0	1.0	1.0
Police Sergeant	9.0	9.0	9.0	9.0
Police Volunteer Supervisor	1.0	1.0	1.0	1.0
Sr. Police Administrative Clerk	2.0	2.0	2.0	2.0
	115.0	116.0	116.0	116.0
PUBLIC WORKS DEPARTMENT				
ADMINISTRATION				
Administrative Clerk	2.0	2.0	2.0	2.0
Administrative Secretary	1.0	1.0	1.0	1.0
Construction Project Manager	1.0	1.0	1.0	1.0
Management Analyst Trainee I/II	1.0	1.0	1.0	1.0
Public Works Director	1.0	1.0	1.0	1.0
	6.0	6.0	6.0	6.0
ENGINEERING DIVISION				
City Engineer	1.0	1.0	1.0	1.0
Engineering Technician I/II	2.0	2.0	2.0	2.0
Jr./Assistant Engineer/Associate Civil Engineer	2.0	3.0	3.0	3.0
Public Works Inspector I/II	2.0	2.0	2.0	2.0
Senior Civil Engineer	2.0	2.0	2.0	2.0
Senior Engineering Technician	4.0	4.0	4.0	4.0
Engineering Technician I/II/III/IV	0.0	0.0	0.0	0.0
Senior Traffic Engineer	1.0	1.0	1.0	1.0
	14.0	15.0	15.0	15.0
FLEET & FACILITIES				
Administrative Clerk	1.0	1.0	0.0	0.0
Equipment Service Worker	2.0	2.0	2.0	2.0
Facilities Maintenance Worker	2.0	2.0	2.0	2.0
Facilities Supervisor	1.0	1.0	1.0	1.0
Fleet & Facilities Manager	1.0	1.0	1.0	1.0
Fleets Services Supervisor	1.0	1.0	1.0	1.0
Heavy Equipment Mechanic	4.0	4.0	4.0	4.0

REGULAR POSITIONS BY DEPARTMENT

	2001-02	2002-03	2003-04	2004-05 <i>Recommended</i>
	Budget	Budget	Budget	Budget
Lead Equipment Mechanic	2.0	2.0	2.0	2.0
Parts Clerk	1.0	1.0	1.0	1.0
Senior Administrative Clerk	0.0	0.0	1.0	1.0
Senior Facilities Maintenance Worker	1.0	1.0	1.0	1.0
Welder-Mechanic	1.0	1.0	1.0	1.0
	<u>17.0</u>	<u>17.0</u>	<u>17.0</u>	<u>17.0</u>
STREETS DIVISION				
Administrative Clerk	0.0	1.0	1.0	1.0
Assistant Streets Superintendent	0.0	0.0	1.0	1.0
Laborer/Maintenance Worker I/II	13.0	13.0	13.0	13.0
Management Analyst Trainee I/II	0.0	0.0	0.0	0.0
Office Supervisor	1.0	1.0	1.0	1.0
Sr. Administrative Clerk	1.0	1.0	1.0	1.0
Street Cleanup Worker I/II	1.0	1.0	1.0	1.0
Street Maintenance Worker III	8.0	8.0	8.0	8.0
Street Superintendent	1.0	1.0	1.0	1.0
Street Supervisor	3.0	3.0	3.0	3.0
Street Contracts Administrator	1.0	1.0	0.0	0.0
Tree Operations Supervisor	1.0	1.0	1.0	1.0
	<u>30.0</u>	<u>31.0</u>	<u>31.0</u>	<u>31.0</u>
WATER/WASTEWATER DIVISION				
Assistant Wastewater Treatment Superintendent	1.0	1.0	1.0	1.0
Assistant Water/Wastewater Superintendent	1.0	1.0	1.0	1.0
Chief Wastewater Plant Operator	1.0	1.0	1.0	1.0
Engineering Technician I/II/III/IV	0.0	0.0	0.0	0.0
Environmental Compliance Inspector	2.0	2.0	2.0	2.0
Laboratory Services Supervisor	1.0	1.0	1.0	1.0
Laboratory Technician I/II	2.0	2.0	2.0	2.0
Laborer/Maintenance Worker I/II	7.0	7.0	7.0	8.0
Plant & Equipment Mechanic	4.0	4.0	4.0	4.0
Public Works Inspector I/II	1.0	1.0	1.0	1.0
Senior Civil Engineer	1.0	1.0	1.0	1.0
Senior Engineering Technician	1.0	1.0	1.0	1.0
Senior Plant & Equipment Mechanic	2.0	2.0	2.0	2.0
Wastewater Plant Operator I/II	6.0	6.0	6.0	6.0
Water Conservation Officer	1.0	1.0	1.0	1.0
Water/Wastewater Maintenance Worker III	5.0	5.0	5.0	5.0
Water/Wastewater Superintendent	1.0	1.0	1.0	1.0
Water/Wastewater Supervisor	3.0	3.0	3.0	3.0
	<u>40.0</u>	<u>40.0</u>	<u>40.0</u>	<u>41.0</u>
TRANSPORTATION & COMMUNICATIONS				
Transportation Manager	1.0	1.0	1.0	1.0
	<u>1.0</u>	<u>1.0</u>	<u>1.0</u>	<u>1.0</u>
Total Public Works	<u>108.0</u>	<u>110.0</u>	<u>110.0</u>	<u>111.0</u>
TOTAL REGULAR POSITIONS	457.0	476.0	480.0	481.0

RESOLUTION NO. 2004-_____

A RESOLUTION OF THE LODI CITY COUNCIL ADOPTING THE 2004-05
OPERATING AND CAPITAL IMPROVEMENT BUDGET FOR THE FISCAL YEAR
BEGINNING JULY 1, 2004 AND ENDING JUNE 30, 2005, AND FURTHER
APPROVING THE 2004-05 APPROPRIATION SPENDING LIMIT

=====

WHEREAS, the City Manager submitted the 2004-05 balanced Operating and Capital Improvement Budget to the City Council on July 21, 2004; and

WHEREAS, the 2004-05 Operating and Capital Improvement Budget was prepared in accordance with the City Council's goals, budget assumptions, and policies; and

WHEREAS, the City Council conducted public budget meetings on December 17, 2003, January 7, 2004, January 21, February 4, April 21, April 27, May 13, May 19, June 2, June 8, June 15, June 22, June 29, July 7 and July 21, 2004, at the Carnegie Forum; and

WHEREAS, the City Council is required to adopt the Appropriations Spending Limit for 2004-05; and

WHEREAS, the Appropriations Spending Limit and the annual adjustment factors selected to calculate the Limit are part of the Financial Plan and Budget.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lodi as follows:

1. That the 2004-05 Operating and Capital Improvement Budget (including the Appropriations Spending Limit for 2004-05) as proposed by the City Manager is hereby presented as a balanced budget and is hereby adopted by the City Council; and
2. That the funds for the 2004-05 Operating Budget are appropriated as summarized in the document on file in the City Clerk's Office.
3. That the funds for the 2004-05 Capital Improvement Budget are appropriated to a Capital Control Account for further allocation by the City Council on a project-by-project and purchase-by-purchase action.

Dated: July 21, 2004

=====

I hereby certify that Resolution No. 2004-_____ was passed and adopted by the City Council of the City of Lodi in a regular meeting held July 21, 2004, by the following vote:

AYES: COUNCIL MEMBERS –

NOES: COUNCIL MEMBERS –

ABSENT: COUNCIL MEMBERS –

ABSTAIN: COUNCIL MEMBERS –

SUSAN J. BLACKSTON
City Clerk

2004-05 FINANCIAL PLAN AND BUDGET**APPROPRIATIONS SPENDING LIMIT****2004-05 APPROPRIATIONS SPENDING LIMIT**

				AMOUNT
Last Year's Limit				59,759,913
Adjustment Factors				
1	Population %	1.0328		
2	Inflation %	1.0075		
Total Adjustment %				1.0405
Annual Adjustment				2,423,025
Adjustments				None
Total Adjustments				2,423,025
2004-05 APPROPRIATIONS SPENDING LIMIT				62,182,939

2004-05 APPROPRIATIONS SUBJECT TO LIMITATION

		AMOUNT
PROCEEDS OF TAXES		29,221,131
EXCLUSIONS		-
APPROPRIATIONS SUBJECT TO LIMITATION		29,221,131
CURRENT YEAR LIMIT		62,182,939
OVER(UNDER) LIMIT		(32,961,807)



**CITY OF LODI
COUNCIL COMMUNICATION**

AGENDA TITLE: Report on impacts of Large-Scale Retail Initiative
MEETING DATE: July 21, 2004
PREPARED BY: Community Development Director, Finance Director & Public Works Director

RECOMMENDED ACTION: That the City Council receive the report for information.

BACKGROUND INFORMATION: On June 2, 2004, the City Council requested that a report on the impacts of the Large-Scale Retail Initiative be prepared pursuant to Section 9212 of the California Elections Code. This report allows for the Council to receive information on a variety of topics. For this report, staff has focused on the seven areas outlined in the referenced code.

ASSUMPTIONS: In order to adequately assess the impacts of the initiative to the various topic areas, we chose to base the report on the following set of assumptions:

- The initiative affects retail structures over 125,000 square feet including "outside retail areas."
- The initiative includes automobile dealers.
- The initiative does not prohibit such structures, but rather requires specific environmental review and approval by a public vote.
- No General Plan Land Use designations are amended by the Initiative.
- No Zoning Ordinance designations are changed by the Initiative.

ANALYSIS:

1. Fiscal Impact

For the fiscal impact section, the following assumptions were used:

- A Wal Mart Super Center Development would occur.
- References taken from the following studies:

"Wal Mart Supercenters: What's in store for Southern California?" written by Gregory Freeman of the Los Angeles Economic Development Corporation.

APPROVED:

H. Dixon Flynn, City Manager

"SUPERCENTERS AND THE TRANSFORMATION OF THE BAY AREA GROCERY INDUSTRY: Issues, Trends, and Impacts" by the Bay Area Economic Forum.

Finance staff concluded that the long term fiscal impact for the location of a large scale retail outlet in the City of Lodi will be negligible. However, more important is the potential for a negative fiscal impact to the City of Lodi if a large scale retail outlet (Wal Mart superstore) were to locate in another neighboring community instead of Lodi. The potential for a positive fiscal impact would be as follows: 1) sales tax revenues (the average Wal Mart superstore generates sales of \$140 million) to the City of Lodi of about \$1 million; 2) business license tax revenues of \$140,000; 3) property tax revenues of approximately \$14,000 per year.

The sales that Wal Mart gains in Lodi will most likely come at the expense of competitors in the grocery retailers in the immediate area. There will be some derivative effects from the increase in discretionary income that will result from lower prices in general; but this would be somewhat offset by the reduction in wages that would result from downward pressure by Wal Mart employment practices. The property taxes and business licenses revenues would most likely be permanent revenue to the City of Lodi. Although it is probable that the addition of a Wal Mart Super Center will cause an increase in government costs (City of Lodi costs) it is also likely that other developments that would occur in the same place if the Wal Mart Super Store development does not occur, would also cause government costs to rise as a result of development. Therefore, the costs of services to be provided by the City of Lodi will be approximately the same regardless of the type of retail establishment that is developed; and the cost of providing government services should not be included in this analysis. The offsetting factor to be considered in the case of sales tax revenues is that the downward pressure on prices amongst the Wal Mart Super Store competitors will reduce sales taxes from those retailers; and as Wal Mart reaches its strongest competitive point the sales that it generates will come at the expense of those it competes with. Thus sales tax revenues will not necessarily increase in total as the effect of this decrease in sales dollars occurs. However, most of the decrease in the sales will be grocery which is non-taxable.

As cited from the sources mentioned above, there will be a derivative effect from the spending choices that would inure to Lodi citizens as a result of the drop in costs for groceries should a Wal Mart be located in this area. This will occur if the store is located in Lodi or in one of the neighboring communities such as Stockton. The savings from this after tax income could be as much as \$524 per year per household over the course of Wal Mart's gaining desired market share in this area. This equates to about 125 jobs (6,500 potential jobs gained in Los Angeles with a population of 1.28 million households equates to 125 jobs gained in Lodi) gained from this source of discretionary income. This would be true regardless of whether the Wal Mart Super Store locates in Lodi or whether this occurs in another neighboring community. Therefore, the conclusion is that this derivative effect will occur so long as the development of the super store takes place somewhere in the market areas of the citizens of Lodi.

Both studies conclude that there will be a savings on groceries as a result of the capturing of market share by a Wal Mart Super Store. And; both studies indicate that there will be a loss in market share to Wal Mart. The employees who would be displaced as a result of lost market share by Lodi retailers could be employed by Wal Mart. Thus there would not be a loss of jobs; but instead there would be a potential loss of wages or foregone wages as these workers move to Wal Mart. The first study concludes that Wal Mart will gain a market share of up to 20 percent; and the second study concludes that Wal Mart's market share would range somewhere between 6 and 18 percent. Both studies indicate that there will be foregone wages for unionized employees as a result of the employment practices of Wal Mart. The studies show varying effects from foregone wages. The effect could be equivalent to losing 48 jobs as cited by the first report (wages foregone in Los Angeles equate to the loss of 2,500 jobs with a household population of 1.28 million; and would equal 48 jobs in a community like Lodi, which has approximately 25,000 households). Since these wages would also be foregone if the Wal Mart opens in a neighboring community, it is not considered to be a relevant factor in this discussion.

The net effect of not allowing further auto dealerships in the City of Lodi is significant. The information that is available related to this is confidential in nature and can not be released for public purview. It has been shown that dealerships in town experience an increase in sales volume as a result of expansion. If this type of establishment is not allowed to expand its business by virtue of expanding the size of its footprint, the fiscal impact on the City of Lodi will be significant.

2. Effect on the internal consistency of the City's General and Specific Plans, including housing element, the consistency between planning and zoning and the limitations on city actions under Section 65008 of the Government Code and Chapters 4.2 and 4.3 of Division 1 of Title 7 of the Government Code.

The Code sections referenced have to do with discrimination and housing project approvals. As this Initiative relates only to size of retail structures, it is our opinion that there would be no impact on these sections.

With regard to consistency with the City's General Plan, the Initiative specifically amends the Lodi General Plan by adding a Policy 7 to Goal A to read as follows:

"The City shall promote preservation of Lodi's small-town and rural qualities by ensuring that retail structures in excess of 125,000 square feet in gross floor area in any land use designation are approved by the City Council and a public vote in the next general election."

The General Plan is further amended by adding Policy 6 to Goal D to read as follows:

"The City shall promote and support Lodi's downtown development by ensuring that retail structures in excess of 125,000 square feet in gross floor area in any land use designation are approved by the City Council and a public vote in the next general election."

The General Plan is further amended by adding Policy 7 to Goal E to read as follows:

"The City shall support commercial use development to provide goods and services to Lodi residents and market area by ensuring that retail structures in excess of 125,000 square feet in gross floor area in any land use designation are approved by the City Council and a public vote in the next general election."

Finally, the General Plan is further amended by adding implementing Policy 17 to read as follows:

"The City shall prepare and implement the requirement for City Council and public voter approval of retail structures in excess of 125,000 square feet in gross floor area in any district established by Lodi's General Plan and Zoning Ordinance."

With the above amendments, the Initiative is consistent with the General Plan. Further, as the Initiative only pertains to the size of retail structures, it is staff's opinion that it would have no impact on the existing or Draft Housing Element.

3. Effect on use of land, the impact on the availability and location of housing and the ability of the City to meet its regional housing needs.

The Initiative affects the maximum size of retail buildings within Lodi. It is staff's opinion the Initiative will not change the anticipated use of land with perhaps one exception, which will be described at the end of this section.

As with the previous section, the initiative is not anticipated to have any impact on housing development. The existing General Plan and Zoning designation for land within the City are not changing as a result of the Initiative. Therefore, no effect on the use of land is expected.

The one exception that may occur as a result of the Initiative relates to the planned use of property along Beckman Road, north of Kettleman Lane. This area is owned by the Geweke family. Based on one of the assumptions outlined, staff believes that it would be unlikely that this property will be developed as previously envisioned by the Geweke family as automobile dealerships. Should that be the case, the initiative would affect the use of that land.

4. Impact on funding for infrastructure of all types, including, but not limited to, transportation, schools, parks, and open space. The report may also discuss whether the measure would likely result in increased infrastructure costs or savings, including the costs of infrastructure maintenance, to current residents and businesses.

Public infrastructure – water, wastewater, drainage, transportation and other governmental facilities-is planned in incremental steps. These “steps” are typically at the “Master Plan” or conceptual level, then at a “budget” or preliminary project level, and then finally, at final design level.

Using the example of the transportation system, the City adopted a street master plan as part of the General Plan update in 1991. The plan identifies major streets and the number of lanes necessary to serve the land uses described in the General Plan, along the general location of these facilities. Major cost factors such as the number and location of traffic signals are included at this level. Portions (and costs) of the improvements attributable to new development are included in the development impact mitigation fee program (mainly extra width and traffic signals). Other streets necessary to serve lands being subdivided and typical frontage improvement are the responsibility of the developer. These improvements and their cost is based on the various use designations and their relative weighting as compared to a single family residential development. Implicit in these calculations are various development standards such as “floor/area ratio (FAR)” which limits the square footage of building for a given parcel size. (Note, the initiative does not change these standards.) At the master plan level, a 36-acre commercial parcel would be analyzed as if it had 470,000 SF of structures (a FAR of 0.30; the maximum permitted is 0.40). There would be no distinction between the number and size of individual buildings. In the absence of project specific information, average commercial vehicle trip generation rated would be used.

5. Impact on the Community's ability to attract and retain business and employment.

As with fiscal impact, this topic will be debated as to the benefit or not of the Initiative proposed. Staff believes that the procedural requirements the Initiative outlines may well have an impact in attracting and retaining businesses that exceed the 125,000 square foot threshold. The cost, timing and risk may prove to be more than that business type would be willing to expend. This would include business expansions as well.

That said, Lodi is not a retail island. As such, these businesses will locate within our market. Therefore, it would be difficult to argue that the anticipated benefit to smaller businesses might outweigh the loss of the larger. Staff does not believe that Lodi will attract more businesses if the larger (over 125,000 square foot) retail establishments did not exist.

6. Impact on uses of vacant parcels of land.

The Initiative will most likely have impact on the size of the structures on some vacant land, but not the use itself. As an example, the square footage that could be developed on a given commercial site would not be different with or without the Initiative. As described in the assumptions and with item 4 dealing with infrastructure, development will still occur at the same ratio of building to land area.

7. Impact on agricultural lands, open space, traffic congestion, and existing business districts developed areas designated for revitalization.

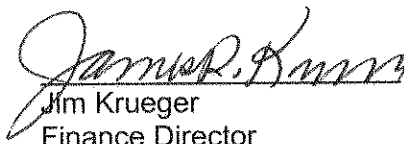
The Initiative will not have any impact to agricultural lands, open space or traffic congestion based on the assumption that there is no change in General Plan or Zoning land use proposed or anticipated. The vacant parcels that may be used for agriculture or open space today will be used for some urban uses pursuant to the plan. Likewise, traffic congestion or the lack of congestion, is a factor of building intensity, not simply the size of the structure.

With regard to impacts on existing business districts, and areas designated for revitalization, no significant impact is anticipated either positive or negative. As the City Council is aware, the City has required every major development project since 1997 to analyze fiscal affects on the downtown. In each instance, the impact was shown to be negligible, and in fact, has proven to be the case in reality.

FUNDING: None Required



Konradt Bartlam
Community Development Director



Jim Krueger
Finance Director



Richard Prima
Public Works Director



CITY OF LODI COUNCIL COMMUNICATION

AGENDA TITLE: Adopt 1) Resolution Accepting Certificate of Sufficiency of Petition for the Large-Scale Retail Initiative Submitted by the Small City Preservation Committee; 2) Resolution to Place the Measure on the Ballot for the November 2, 2004, General Municipal Election; or adopt the ordinance as presented; and 3) Resolution Setting Priorities for Filing Written Arguments

MEETING DATE: July 21, 2004

PREPARED BY: City Clerk

RECOMMENDED ACTION: That the City Council adopt 1) resolution accepting Certificate of Sufficiency of Petition for the Large-Scale Retail Initiative submitted by the Small City Preservation Committee; 2) resolution to place the measure on the ballot for the November 2, 2004, General Municipal Election; or adopt the ordinance as presented; and 3) resolution setting priorities for filing written arguments.

BACKGROUND INFORMATION: On April 16, 2004, the Small City Preservation Committee filed its intention to circulate a petition, which was accompanied by the text of the initiative and statement setting forth the reasons for the proposed petition (*see Exhibit A to staff report*). On June 7, 2004, the petition was filed in the City Clerk's Office and a prima facie check was conducted in accordance with Elections Code §9210. Subsequently, the San Joaquin County Registrar of Voters conducted a full check examination of the petition and determined the number of valid signatures to be 2,734, which was more than the 2,634 (*i.e. 10% of the voters of the city*) required signatures to qualify. The Registrar's certification of the petition is attached as an exhibit to the City Council resolution accepting the Certificate of Sufficiency. In accordance with Elections Code §9114, the City Clerk hereby certifies the results of the examination to the City Council.

Elections Code §9215 states in part that if the initiative petition is signed by not less than 10 percent of the voters of the city, the legislative body shall do one of the following:

- (a) Adopt the ordinance, without alteration, at the regular meeting at which the certification of the petition is presented, or within 10 days after it is presented.
- (b) Submit the ordinance, without alteration, to the voters.
- (c) Order a report at the regular meeting at which the certification of the petition is presented. When the report is presented to the legislative body, the legislative body shall either adopt the ordinance within 10 days or order an election pursuant to subdivision (b).

Note: Option (c), the report on the impacts of the initiative, was directed by Council (*on June 2, 2004*) to be prepared and was addressed under Item I-2 on the July 21, 2004, City Council agenda.

APPROVED: _____
H. Dixon Flynn, City Manager

Adopt 1) Resolution Accepting Certificate of Sufficiency of Petition for the Large-Scale Retail Initiative Submitted by the Small City Preservation Committee; 2) Resolution to Place the Measure on the Ballot for the November 2, 2004, General Municipal Election; or adopt the ordinance as presented; and 3) Resolution Setting Priorities for Filing Written Arguments
July 21, 2004
Page Two

FUNDING: 100102 Election.

Approximately \$5,000 will be expended for the cost of petition signature examination by the San Joaquin County Registrar of Voters and up to \$10,000 to place the measure on the November 2, 2004, ballot.
(NOTE: These funds have been requested in the 2004-05 budget.)

James R. Krueger, Finance Director

Susan J. Blackston
City Clerk

SJB/jmp

Attachments

Small City Preservation Committee
P.O. Box 730
Woodbridge, CA 95258

RECEIVED

2004 APR 16 AM 11:04

CITY CLERK
CITY OF LODI

April 16, 2004

Ms. Susan Blackston
City Clerk, City of Lodi
221 W. Pine St.
Lodi, CA 95240

To the Honorable Clerk of the City of Lodi: We, the undersigned, registered and qualified voters of the City of Lodi, hereby propose an initiative measure to amend the City of Lodi's Zoning Ordinance, Lodi Municipal Code, Title 17; and General Plan. We petition you to submit this measure to the City Council for adoption without change, or for the submission to the voters of the City of Lodi at the earliest regular or special election for which it qualifies.

NOTICE OF INTENTION TO CIRCULATE PETITION

NOTICE IS HEREBY GIVEN by the persons whose names appear hereon of their intention to circulate the petition within the City of Lodi. The measure provides as follows:

Lodi's Sensible Scale and Character Initiative

The people of the City of Lodi do hereby ordain as follows:

Section 1. Purpose and Findings.

A. Purpose. The purpose of this Initiative is to protect and preserve the existing community character and fabric, and promote the continuation of neighborhood/community commercial centers and the downtown commercial center. Also, the purpose of this Initiative is to ensure that the purposes and principles set forth in the City of Lodi's General Plan are fully considered by establishing sensibly scaled retail development and maintenance of the City of Lodi's unique character. This action recognizes that large-scaled retail stores affecting the city shall be subject to approval by the City Council and a public vote.

B. Findings. The people of the City of Lodi find that regulating size and bulk of retail stores, through this initiative, promotes the welfare, economy, and quality of life of the residents of Lodi, based upon the following:

1. Regulating Scale of Retail Stores Protects the Unique Character and Quality of Life in Lodi.

An important component of the City of Lodi is maintaining its unique character. Lodi's small-town and rural qualities are a valuable trait of the town. Large-scale retail stores detract from the community's character and aesthetics. Large retail stores are usually located some distance away from residential neighborhoods because they require large sites, which are usually found only in zones outside of the downtown area. Large-scale retail often consists of long, plain facades, a sea of parking, and sparse landscaping.

The unique character of the City of Lodi and the quality of life enjoyed by City residents and visitors depend on the protection of the small-town and rural qualities. The protection of such attributes aids the continued viability of the city and brings mental and physical benefits from the broad protection of Lodi residents' quality of life.

2. Strengthening Lodi's Economy.

It is important to have sensibly scaled retail stores in order to continue to strengthen and sensibly develop Lodi's existing economy. Lodi has a number of shopping centers providing the community with merchandise and services. Large-scale retail stores affect existing shopping centers by causing the existing stores to go out of business, thus destabilizing the shopping centers, and leaving empty, boarded-up buildings, which increase crime and blight. The surrounding area loses the merchandise and services offered by the existing businesses. Sometimes a large-scale retail company will close down an existing store, and replace it with a superstore, which also results in a large, empty store.

3. Ensuring Adequate Public Services for the City.

There are negative impacts to not having sensibly scaled retail stores, including safety. Large-scale retail stores require significantly higher commitment of police, fire, and public safety resources compared to smaller neighborhood stores. Usually large-scale stores fail to provide provisions for the pedestrians entering the store. It is often dangerous even to walk from the parking lot to the entrance of the store, with cars driving and maneuvering in the very large parking area. The larger stores usually involve longer trips and generate more traffic in a concentrated area, and thus require improved street capacity in their immediate neighborhoods. The elderly, handicapped, and poor, who may not have access to larger retail stores because they are located at greater distances away from their neighborhoods due to the large land acquisition requirements of the larger retail stores.

C. Effect of Initiative. To achieve the above-stated purposes, this Initiative would amend the City of Lodi's Ordinance and General Plan to establish a limit on large-scale retail stores that exceed 125,000 square feet of gross floor area. Also, it would require that any large-scale retail project proposal containing commercial retail structures that exceed 125,000 square feet of gross floor area be subject to approval by the City Council and a public vote in the next general election.

Exhibits. This Initiative does not have any exhibits attached but relies upon the design standards for large-scale stores recently adopted by the City.

Section 2. Zoning Ordinance and General Plan Amendments.

Whereas, the Lodi General Plan establishes a policy framework that forms the City of Lodi's strategy for retail; and

Whereas, the Lodi General Plan and Zoning Ordinance recognize distinct types of shopping centers such as neighborhood/community commercial; general commercial; commercial shopping center; and downtown commercial; and

Whereas, the Lodi General Plan establishes policies encouraging promoting downtown Lodi as the City's social and cultural center and an economically viable retail and professional office district, it promotes locating future commercial retail in downtown Lodi and preserving the existing small-town scale and character of Lodi; and

Whereas, General Plan policies promote and encourage vital neighborhood commercial districts that are evenly distributed throughout the city so that residents are able to meet their basic daily shopping needs at neighborhood shopping centers; and

Whereas, the California Government Code also provides that in order for the ordinance to be consistent with the General Plan, the various land uses authorized by the ordinance should be compatible with the objectives, policies, general land uses, and programs specified in the General Plan; and

Whereas, the Lodi Zoning Ordinance (Title 17 of the Lodi Municipal Code) has not kept pace with the evolution of the retail sector and fails to adequately distinguish the size, scale and scope of various retail activities; and

Whereas, an emerging national trend exists toward increasing the size of retail stores and the diversity of products offered at such large-scale retail stores; and

Whereas, the establishment of large-scale retail stores in Lodi is likely to negatively impact the vitality and economic viability of the city's neighborhood community commercial and downtown commercial centers by drawing sales away from traditional retail stores located in these centers; and

Whereas, large-scale retail stores adversely affect the viability of small-scale, pedestrian-friendly neighborhood commercial areas, contributing to blight in these areas; and

Whereas, given the city's current population of 60,000, there are currently adequate retail stores to support the market for large-scale retail; and

Whereas, the proposed amendments to the Zoning Ordinance and General Plan are intended to preserve the city's existing neighborhood-serving shopping centers that are centrally located within the community; and

Whereas, this distribution of shopping and employment creates a land use pattern that reduces the need for vehicle trips and encourages walking and biking for shopping, services, and employment; and

Whereas, a significant concern with large-scale retail stores is that they combine neighborhood-serving retail in a more remote, regional-serving retail center which would result in the decline of neighborhood-serving retail stores by consolidating their activity in a single, outlying location; and

Whereas, the remote location of large-scale retail stores means that local residents are forced to drive further for basic services such as groceries, and are forced to take longer and more frequent traffic trips to the regional commercial center to satisfy basic everyday needs, increasing overall traffic and overburdening streets that were not designed to accommodate such traffic; and

Whereas, the proposed amendments to Lodi's Zoning Ordinance and General Plan, by limiting large-scale retail stores, will prevent the negative transportation and related air quality impacts that establishment of such stores is likely to have; and

Whereas, numerous local jurisdictions in the country and the State of California, taking all of the above considerations in mind, have enacted ordinances on new large retail stores over a certain size that either completely prohibit new retail stores over a certain size or require special impact studies; and

Whereas, California jurisdictions that have recently enacted such regulations to help sustain the vitality of small-scale, more pedestrian-oriented neighborhood shopping districts include the Cities of Turlock, Santa Maria, San Luis Obispo, Arroyo Grande, Oakland and Martinez; and

Whereas, a potential discount superstore would directly contravene the approach the City's General Plan established for retail; and

Whereas, the proposed regulations will place stricter controls on the establishment of, or conversion to large-scale stores and would prevent a large-scale retail store with potential negative environmental impacts from being established in Lodi, but will not itself generate environmental impacts or necessitate environmental review; and

Whereas, the adoption of these regulations does not approve any development project nor does it disturb the physical environment either directly or indirectly as the regulations modify the limitations of land use by limiting large-scale retail stores that exceed 125,000 square feet of gross floor area and require such projects be approved by the City Council and the citizens' votes in the next general election; and

Whereas, requiring voter approval of land use development of large-scale retail stores that exceed 125,000 square feet of gross floor area will ensure opportunities for full public participation in decisions affecting future land use, quality of life, and character of the City of Lodi.

NOW, THEREFORE, the City of Lodi hereby ordains that:

The Lodi Zoning Ordinance (Title 17 of the Lodi Municipal Code, Districts and Map) is amended by the addition of 17.06.050(D), which shall read as follows:

"Retail structures in any district established by this title shall not exceed 125,000 square feet in gross floor area unless approved by the City Council and the voters in the next general election. The City shall not submit any application for a retail structure in excess of 125,000 square feet in gross floor area to the voters if the application has not first been approved by the City Council, unless otherwise required by law. If, after compliance with the California Environmental Quality Act and any other applicable laws, the City Council approves and certifies the environmental impact report for a retail structure in excess of 125,000 square feet in gross floor area in any district established by this title, the project shall not become effective until approval by public vote in the next general election. For the purposes of this subsection, the term "gross floor area" shall include outside retail areas."

The Lodi Zoning Ordinance (Title 17 of the Lodi Municipal Code) is further amended by the addition of the following Sections 17.36.035, 17.36.036, 17.39.035, 17.39.036, 17.30.045, 17.30.046, which include but shall not be limited to these applicable districts.

The Lodi Zoning Ordinance (Title 17 of the Lodi Municipal Code) is further amended by the addition of Section 17.36.035, which shall read as follows:

"Retail structures in the C-1 district shall not exceed 125,000 square feet in gross floor area unless approved by the City Council and the voters in the next general election. The City shall not submit any application for a retail structure in excess of 125,000 square feet in gross floor area to the voters if the application has not first been approved by the City Council, unless otherwise required by law. If, after compliance with the California Environmental Quality Act and any other applicable laws, the City Council

approves and certifies the environmental impact report for a retail structure in excess of 125,000 square feet in gross floor area in any district established by this title, the project shall not become effective until approval by public vote in the next general election. For the purposes of this subsection, the term "gross floor area" shall include outside retail areas."

The Lodi Zoning Ordinance (Title 17 of the Lodi Municipal Code) is further amended by the addition of Section 17.39.035, which shall read as follows:

"Retail structures in the C-2 district shall not exceed 125,000 square feet in gross floor area unless approved by the City Council and the voters in the next general election. The City shall not submit any application for a retail structure in excess of 125,000 square feet in gross floor area to the voters if the application has not first been approved by the City Council, unless otherwise required by law. If, after compliance with the California Environmental Quality Act and any other applicable laws, the City Council approves and certifies the environmental impact report for a retail structure in excess of 125,000 square feet in gross floor area in any district established by this title, the project shall not become effective until approval by public vote in the next general election. For the purposes of this subsection, the term "gross floor area" shall include outside retail areas."

The Lodi Zoning Ordinance (Title 17 of the Lodi Municipal Code) is further amended by the addition of Section 17.30.045 which shall read as follows:

"Retail structures in the C-S district shall not exceed 125,000 square feet in gross floor area unless approved by the City Council and the voters in the next general election. The City shall not submit any application for a retail structure in excess of 125,000 square feet in gross floor area to the voters if the application has not first been approved by the City Council, unless otherwise required by law. If, after compliance with the California Environmental Quality Act and any other applicable laws, the City Council approves and certifies the environmental impact report for a retail structure in excess of 125,000 square feet in gross floor area in any district established by this title, the project shall not become effective until approval by public vote in the next general election. For the purposes of this subsection, the term "gross floor area" shall include outside retail areas."

The Lodi Zoning Ordinance (Title 17 of the Lodi Municipal Code) is further amended by the addition of Sections 17.36.036, 17.39.036, 17.30.046, and 17.06.051 which shall read as follows:

"Nothing in this Chapter shall give the City Council the authority to grant a variance from the provisions of 17.36.035, 17.39.035, 17.30.045, and 17.06.050(D) relating to the maximum size of retail structures in any district established by this title, including but not limited to the C-1, C-2, and C-S Districts."

The Lodi General Plan is amended by the addition of Policy 7 to Goal A which shall read as follows:

"The City shall promote preservation of Lodi's small-town and rural qualities by ensuring that retail structures in excess of 125,000 square feet in gross floor area in any land use designation are approved by the City Council and a public vote in the next general election."

The Lodi General Plan is further amended by the addition of Policy 6 to Goal D which shall read as follows:

"The City shall promote and support Lodi's downtown development by ensuring that retail structures

in excess of 125,000 square feet in gross floor area in any land use designation are approved by the City Council and a public vote in the next general election.”

The Lodi General Plan is further amended by the addition of Policy 7 to Goal E which shall read as follows:

“The City shall support commercial use development to provide goods and services to Lodi residents and market area by ensuring that retail structures in excess of 125,000 square feet in gross floor area in any land use designation are approved by the City Council and a public vote in the next general election.”

The City of Lodi’s General Plan is hereby amended to add the following Implementing Policy, Policy 17, to read as follows:

“The City shall prepare and implement the requirement for City Council and public voter approval of retail structures in excess of 125,000 square feet in gross floor area in any district established by Lodi’s General Plan and Zoning Ordinance.”

Section 3. Implementation.

A. Effective Date. As provided in Elections Code section 9217, this Initiative shall take effect ten days after the date on which the election results are declared by the City Council. Upon the effective date of this Initiative, the provisions of Section 2 of this Initiative are hereby inserted into the City of Lodi’s Planning and Zoning Code and General Plan as an amendment thereof.

B. Interim Amendments. The City of Lodi’s Zoning Code in effect at the time the Notice of Intent to circulate this Initiative was submitted to the City of Lodi Elections Official on April 16, 2004 (“Submittal Date”), and the ordinances as amended by this Initiative, comprise an integrated, internally consistent and compatible statement of policies for the City of Lodi. In order to ensure that the City of Lodi’s Planning and Zoning remains an integrated, internally consistent and compatible statement of policies for the City as required by state law and to ensure that the actions of the voter in enacting this Initiative are given effect, any provision of the Planning and Zoning Code that is adopted between the Submittal Date and the date that the Planning and Zoning Code is amended by this measure shall, to the extent that such interim-enacted provision is inconsistent with the Planning and Zoning Code provisions adopted by Section 2 of this Initiative, be amended as soon as possible and in the manner and time required by state law to ensure consistency between the provisions adopted by this Initiative and other elements of the City’s Planning and Zoning Code.

C. Other City Ordinances and Policies. The City of Lodi is hereby authorized to amend the Planning and Zoning Code, other ordinances, the General Plan, and policies affected by this Initiative as soon as possible and in the manner and time required by any applicable state law to ensure consistency between goals, objectives and policies adopted in Section 2 of this Initiative and other elements of the City’s Planning and Zoning Code, General Plan, all community and specific plans, and other City ordinances and policies.

Section 4. Exemptions for Certain Projects.

This Initiative shall not apply to any of the following: (1) any project that has obtained as of the effective date of the Initiative a vested right pursuant to state or local law; (2) any land that, under state or federal law, is

beyond the power of the local voters to affect by the initiative power reserved to the people via the California Constitution.

Section 5. Elections.

Except for the renewal or repeal of this Article, any direct or indirect costs to the City of Lodi caused by the elections mandated by this Article shall be borne by the applicants for the large-scale development project in excess of 125,000 square feet, unless otherwise prohibited by state law.

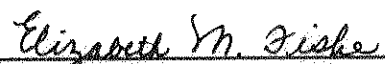
Elections mandated by this Article shall be consolidated with other elections, whenever feasible. Different proposals may appear on the same ballot at the same election provided that each separate proposal affecting a discrete property or development project shall be submitted to the voters as a separate measure.

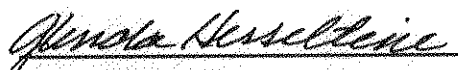
Section 6. Severability and Interpretation.


This Initiative shall be interpreted so as to be consistent with all federal and state laws, rules, and regulations. If any section, sub-section, sentence, clause, phrase, part, or portion of this Initiative is held to be invalid or unconstitutional by a final judgment of a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Initiative. The voters hereby declare that this Initiative, and each section, sub-section, sentence, clause, phrase, part, or portion thereof would have been adopted or passed even if one or more sections, sub-sections, sentences, clauses, phrases, parts, or portions are declared invalid or unconstitutional. If any provision of this Initiative is held invalid as applied to any person or circumstance, such invalidity shall not affect any application of this Initiative that can be given effect without the invalid application. This Initiative shall be broadly construed in order to achieve the purposes stated in this Initiative.

Section 7. Amendment or Repeal.

Except as otherwise provided herein, this Initiative may be amended or repealed only by the voters of the City of Lodi.


Elizabeth M. Fiske
727 S. Lee Ave.
Lodi, CA 95240


Glenda Hesselstine
727 Brandywine Dr.
Lodi, CA 95240


Walter Pruss
2421 Diablo Dr.
Lodi, CA 95242

RESOLUTION NO. 2004-_____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LODI,
CALIFORNIA, ACCEPTING CERTIFICATE OF SUFFICIENCY OF
PETITION FOR LARGE-SCALE RETAIL INITIATIVE

WHEREAS, on June 7, 2004, the City Clerk's Office received an initiative petition from the Small City Preservation Committee regarding large-scale retail establishments; and

WHEREAS, said petition must contain 2,634 valid signatures, which is 10% of the voters in the City of Lodi as last officially reported by the county elections office to the Secretary of State; and

WHEREAS, the San Joaquin County Registrar of Voters has conducted an examination of the petition and determined it to be sufficient. In accordance with Elections Code §9114, the City Clerk hereby certifies the results of the examination to the City Council as set forth in the attached Certificate of Sufficiency of Petition (marked Exhibit A).

NOW, THEREFORE, BE IT RESOLVED that the Lodi City Council hereby accepts the Certificate of Sufficiency for the initiative petition submitted by the Small City Preservation Committee regarding large-scale retail establishments.

Dated: July 21, 2004

I hereby certify that Resolution No. 2004-_____ was passed and adopted by the City Council of the City of Lodi in a regular meeting held July 21, 2004, by the following vote:

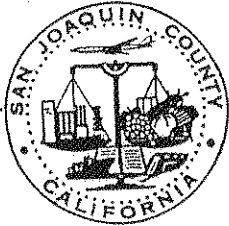
AYES: COUNCIL MEMBERS –

NOES: COUNCIL MEMBERS –

ABSENT: COUNCIL MEMBERS –

ABSTAIN: COUNCIL MEMBERS –

SUSAN J. BLACKSTON
City Clerk



SAN JOAQUIN COUNTY
REGISTRAR OF VOTERS

212 NORTH SAN JOAQUIN STREET
PO BOX 810
STOCKTON, CALIFORNIA 95201
FAX: (209) 468-2889
INTERNET: www.co.san-joaquin.ca.us

DEBORAH S. HENCH
REGISTRAR OF VOTERS
(209) 468-3194
dhench@co.san-joaquin.ca.us

AUSTIN G. ERDMAN
ASST. REGISTRAR OF VOTERS
(209) 468-2898
aerdman@co.san-joaquin.ca.us
REGISTRATION
468-2890
BUSINESS AND FINANCIAL DISCLOSURE
468-8942
CANDIDATE SERVICES
468-3191
PRECINCT OPERATIONS
468-2892

EXHIBIT A

July 7, 2004

Susan Blackston
City Clerk
City of Lodi
PO Box 3006
Lodi, CA 95241-1910

RECEIVED
JUL 9 - 2004
City Clerk
City of Lodi

Dear Ms. Blackston:

The Registrar of Voters has certified the verification of signatures on the Large-Scale Retail Initiative Petition (City of Lodi), delivered to our office on June 8, 2004.

I hereby confirm the verification of the above named petition is as follows:

Number of signatures filed:	3,474
Number of signatures verified:	3,474
Number of signatures found sufficient:	2,734

Based upon the full check, the number of valid signatures is 2,734, which is more than the 2,634 required signatures to qualify. Therefore, the petition is certified as sufficient.

Very truly yours,

DEBORAH S. HENCH
Registrar of Voters

DSH:hc



Petition Result Breakdown

City of Lodi/Retail

Large-scale Retail Initiative Pet. (City of Lodi)

Raw Count	3,474		
Sample Size	3,474	Percent of	Percent of
Sigs Checked	3,474	Sigs Checked	Sample Size
Sigs Not Checked	0		0.0 %
Sigs Valid	2,734	78.7 %	78.7 %
Sigs Invalid	740	21.3 %	21.3 %
Duplicated	56	2.0 %	1.6 %
Non-duplicate Invalids	684	20.0 %	19.7 %

Result Abbr	Name		
Approved	Approved	2,734	78.7 %
NotReg	Not Registered	344	9.9 %
OutOfDist	Out of District	186	5.4 %
Duplicate	Signed more than once	56	1.6 %
Withdrawn	Withdrawn	1	0.0 %
RegLate	Registered Late	12	0.3 %
RegDiffAdd	Registered at a Different Ad	114	3.3 %
CantIdentfy	Cannot Identify	4	0.1 %
MultAdd	More than One Address Giv	2	0.1 %
NoResAdd	No Residence Address Give	1	0.0 %
NoSig	No Signature	4	0.1 %
PrintedSig	Printed Signature	3	0.1 %
SigNoMatch	Signatures Don't Match	12	0.3 %
Blank	Blank(no sig/no address)	1	0.0 %

RESOLUTION NO. 2004-_____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LODI, CALIFORNIA, CALLING AND GIVING NOTICE OF THE HOLDING OF A GENERAL MUNICIPAL ELECTION ON TUESDAY, NOVEMBER 2, 2004, FOR THE SUBMISSION OF A PROPOSED ORDINANCE

WHEREAS, pursuant to authority provided by statute, a petition has been filed with the legislative body of the City of Lodi, California, signed by more than 10 percent of the number of registered voters of the City to submit a proposed ordinance relating to Large-Scale Retail Initiative; and

WHEREAS, the San Joaquin County Registrar of Voters examined the records of registration and ascertained that the petition is signed by the requisite number of voters, and has so certified; and

WHEREAS, the City Council has not voted in favor of the adoption of the ordinance; and

WHEREAS, the City Council is authorized and directed by statute to submit the proposed ordinance to the voters.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LODI, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE, AND ORDER AS FOLLOWS:

SECTION 1. That pursuant to the requirements of the laws of the State of California relating to general law cities, there is called and ordered to be held in the City of Lodi, California, on Tuesday, November 2, 2004, a General Municipal Election for the purpose of submitting the following proposed ordinance:

Shall the ordinance prohibiting the construction of new retail structures in excess of 125,000 square feet (including outside retail sales areas) unless approved by the City Council and a majority of the voters voting at a city wide election be adopted?	Yes
	No

SECTION 2. That the text of the ordinance submitted to the voters is attached as Exhibit A.

SECTION 3. That the ballots to be used at the election shall be in form and content as required by law.

SECTION 4. That the City Clerk is authorized, instructed, and directed to procure and furnish any and all official ballots, notices, printed matter, and all supplies, equipment, and paraphernalia that may be necessary in order to properly and lawfully conduct the election.

SECTION 5. That the polls for the election shall be open at seven o'clock a.m. of the day of the election and shall remain open continuously from that time until eight o'clock p.m. of the same day when the polls shall be closed, except as provided in §14401 of the Elections Code of the State of California.

SECTION 6. That in all particulars not recited in this resolution, the election shall be held and conducted as provided by law for holding municipal elections.

SECTION 7. That notice of the time and place of holding the election is given and the City Clerk is authorized, instructed, and directed to give further or additional notice of the election, in time, form, and manner as required by law.

SECTION 8. That the City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

Dated: July 21, 2004

I hereby certify that Resolution No. 2004-____ was passed and adopted by the City Council of the City of Lodi in a regular meeting held July 21, 2004, by the following vote:

AYES: COUNCIL MEMBERS –

NOES: COUNCIL MEMBERS –

ABSENT: COUNCIL MEMBERS –

ABSTAIN: COUNCIL MEMBERS –

SUSAN J. BLACKSTON
City Clerk

EXHIBIT A

LARGE-SCALE RETAIL INITIATIVE

(Text of Proposed Ordinance)

NOW, THEREFORE, the City of Lodi hereby ordains that: The Lodi Zoning Ordinance (Title 17 of the Lodi Municipal Code, Districts and Map) is amended by the addition of 17.06.050(D), which shall read as follows:

Retail structures in any district established by this title shall not exceed 125,000 square feet in gross floor area unless approved by the City Council and the voters in the next general election. The City shall not submit any application for a retail structure in excess of 125,000 square feet in gross floor area to the voters if the application has not first been approved by the City Council, unless otherwise required by law. If, after compliance with the California Environmental Quality Act and any other applicable laws, the City Council approves and certifies the environmental impact report for a retail structure in excess of 125,000 square feet in gross floor area in any district established by this title, the project shall not become effective until approval by public vote in the next general election. For the purposes of this subsection, the term "gross floor area" shall include outside retail areas.

The Lodi Zoning Ordinance (Title 17 of the Lodi Municipal Code) is further amended by the addition of the following Sections 17.36.035, 17.36.036, 17.39.035, 17.39.036, 17.30.045, 17.30.046, which include but shall not be limited to these applicable districts.

The Lodi Zoning Ordinance (Title 17 of the Lodi Municipal Code) is further amended by the addition of Section 17.36.035, which shall read as follows:

Retail structures in the C-1 district shall not exceed 125,000 square feet in gross floor area unless approved by the City Council and the voters in the next general election. The City shall not submit any application for a retail structure in excess of 125,000 square feet in gross floor area to the voters if the application has not first been approved by the City Council, unless otherwise required by law. If, after compliance with the California Environmental Quality Act and any other applicable laws, the City Council approves and certifies the environmental impact report for a retail structure in excess of 125,000 square feet in gross floor area in any district established by this title, the project shall not become effective until approval by public vote in the next general election. For the purposes of this subsection, the term "gross floor area" shall include outside retail areas.

The Lodi Zoning Ordinance (Title 17 of the Lodi Municipal Code) is further amended by the addition of Section 17.39.035, which shall read as follows:

Retail structures in the C-2 district shall not exceed 125,000 square feet in gross floor area unless approved by the City Council and the voters in the next general election. The City shall not submit any application for a retail structure in excess of 125,000 square feet in gross floor area to the voters if the application has not first been approved by the City Council, unless otherwise required by law. If, after compliance with the California Environmental Quality Act and any other applicable laws, the City Council approves and certifies the environmental impact report for a retail structure in excess of 125,000 square feet in gross floor area in any district established by this title, the project shall not become effective until approval by public vote in the next general election. For the purposes of this subsection, the term "gross floor area" shall include outside retail areas.

EXHIBIT A

*LARGE-SCALE RETAIL INITIATIVE
(Text of Proposed Ordinance)
Page 2 of 3*

The Lodi Zoning Ordinance (Title 17 of the Lodi Municipal Code) is further amended by the addition of Section 17.30.045, which shall read as follows:

Retail structures in the C-S district shall not exceed 125,000 square feet in gross floor area unless approved by the City Council and the voters in the next general election. The City shall not submit any application for a retail structure in excess of 125,000 square feet in gross floor area to the voters if the application has not first been approved by the City Council, unless otherwise required by law. If, after compliance with the California Environmental Quality Act and any other applicable laws, the City Council approves and certifies the environmental impact report for a retail structure in excess of 125,000 square feet in gross floor area in any district established by this title, the project shall not become effective until approval by public vote in the next general election. For the purposes of this subsection, the term "gross floor area" shall include outside retail areas.

The Lodi Zoning Ordinance (Title 17 of the Lodi Municipal Code) is further amended by the addition of Sections 17.36.036, 17.39.036, 17.30.046, and 17.06.051, which shall read as follows:

Nothing in this Chapter shall give the City Council the authority to grant a variance from the provisions of 17.36.035, 17.39.035, 17.30.045, and 17.06.050(D) relating to the maximum size of retail structures in any district established by this title, including but not limited to the C-1, C-2, and C-S Districts.

The Lodi General Plan is amended by the addition of Policy 7 to Goal A, which shall read as follows:

The City shall promote preservation of Lodi's small-town and rural qualities by ensuring that retail structures in excess of 125,000 square feet in gross floor area in any land use designation are approved by the City Council and a public vote in the next general election.

The Lodi General Plan is further amended by the addition of Policy 6 to Goal D, which shall read as follows:

The City shall promote and support Lodi's downtown development by ensuring that retail structures in excess of 125,000 square feet in gross floor area in any land use designation are approved by the City Council and a public vote in the next general election.

The Lodi General Plan is further amended by the addition of Policy 7 to Goal E, which shall read as follows:

The City shall support commercial use development to provide goods and services to Lodi residents and market area by ensuring that retail structures in excess of 125,000 square feet in gross floor area in any land use designation are approved by the City Council and a public vote in the next general election.

EXHIBIT A

*LARGE-SCALE RETAIL INITIATIVE
(Text of Proposed Ordinance)
Page 3 of 3*

The City of Lodi's General Plan is hereby amended to add the following implementing Policy, Policy 17, to read as follows:

The City shall prepare and implement the requirement for City Council and public voter approval of retail structures in excess of 125,000 square feet in gross floor area in any district established by Lodi's General Plan and Zoning Ordinance.

RESOLUTION NO. 2004-_____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LODI, CALIFORNIA, SETTING
PRIORITIES FOR FILING (A) WRITTEN ARGUMENT(S) REGARDING A CITY MEASURE AND
DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS

WHEREAS, a General Municipal Election is to be held in the City of Lodi, California, on Tuesday, November 2, 2004, at which there will be submitted to the voters the Large-Scale Retail Initiative (text of the proposed ordinance attached as Exhibit A).

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LODI, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE, AND ORDER AS FOLLOWS:

SECTION 1. That the City Council authorizes all members of the City Council to file (a) written argument(s) In Favor of or Against City measure, accompanied by the printed name(s) and signature(s) of the person(s) submitting it, in accordance with Article 4, Chapter 3, Division 9 of the Elections Code of the State of California and to change the argument until and including the date fixed by the City Clerk, after which no arguments for or against the City measure may be submitted to the City Clerk.

SECTION 2. That the City Council directs the City Clerk to transmit a copy of the measure to the City Attorney who shall prepare an impartial analysis of the measure showing the effect of the measure on the existing law and the operation of the measure. The impartial analysis shall be filed by the date set by the City Clerk for the filing of primary arguments.

SECTION 3. That the City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

Dated: July 21, 2004

I hereby certify that Resolution No. 2004-_____ was passed and adopted by the City Council of the City of Lodi in a regular meeting held July 21, 2004, by the following vote:

AYES: COUNCIL MEMBERS –

NOES: COUNCIL MEMBERS –

ABSENT: COUNCIL MEMBERS –

ABSTAIN: COUNCIL MEMBERS –

SUSAN J. BLACKSTON
City Clerk

EXHIBIT A

LARGE-SCALE RETAIL INITIATIVE

(Text of Proposed Ordinance)

NOW, THEREFORE, the City of Lodi hereby ordains that: The Lodi Zoning Ordinance (Title 17 of the Lodi Municipal Code, Districts and Map) is amended by the addition of 17.06.050(D), which shall read as follows:

Retail structures in any district established by this title shall not exceed 125,000 square feet in gross floor area unless approved by the City Council and the voters in the next general election. The City shall not submit any application for a retail structure in excess of 125,000 square feet in gross floor area to the voters if the application has not first been approved by the City Council, unless otherwise required by law. If, after compliance with the California Environmental Quality Act and any other applicable laws, the City Council approves and certifies the environmental impact report for a retail structure in excess of 125,000 square feet in gross floor area in any district established by this title, the project shall not become effective until approval by public vote in the next general election. For the purposes of this subsection, the term "gross floor area" shall include outside retail areas.

The Lodi Zoning Ordinance (Title 17 of the Lodi Municipal Code) is further amended by the addition of the following Sections 17.36.035, 17.36.036, 17.39.035, 17.39.036, 17.30.045, 17.30.046, which include but shall not be limited to these applicable districts.

The Lodi Zoning Ordinance (Title 17 of the Lodi Municipal Code) is further amended by the addition of Section 17.36.035, which shall read as follows:

Retail structures in the C-1 district shall not exceed 125,000 square feet in gross floor area unless approved by the City Council and the voters in the next general election. The City shall not submit any application for a retail structure in excess of 125,000 square feet in gross floor area to the voters if the application has not first been approved by the City Council, unless otherwise required by law. If, after compliance with the California Environmental Quality Act and any other applicable laws, the City Council approves and certifies the environmental impact report for a retail structure in excess of 125,000 square feet in gross floor area in any district established by this title, the project shall not become effective until approval by public vote in the next general election. For the purposes of this subsection, the term "gross floor area" shall include outside retail areas.

The Lodi Zoning Ordinance (Title 17 of the Lodi Municipal Code) is further amended by the addition of Section 17.39.035, which shall read as follows:

Retail structures in the C-2 district shall not exceed 125,000 square feet in gross floor area unless approved by the City Council and the voters in the next general election. The City shall not submit any application for a retail structure in excess of 125,000 square feet in gross floor area to the voters if the application has not first been approved by the City Council, unless otherwise required by law. If, after compliance with the California Environmental Quality Act and any other applicable laws, the City Council approves and certifies the environmental impact report for a retail structure in excess of 125,000 square feet in gross floor area in any district established by this title, the project shall not become effective until approval by public vote in the next general election. For the purposes of this subsection, the term "gross floor area" shall include outside retail areas.

EXHIBIT A

*LARGE-SCALE RETAIL INITIATIVE
(Text of Proposed Ordinance)
Page 2 of 3*

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The Lodi General Plan is amended by the addition of Policy 7 to Goal A, which shall read as follows:

The City shall promote preservation of Lodi's small-town and rural qualities by ensuring that retail structures in excess of 125,000 square feet in gross floor area in any land use designation are approved by the City Council and a public vote in the next general election.

The Lodi General Plan is further amended by the addition of Policy 6 to Goal D, which shall read as follows:

The City shall promote and support Lodi's downtown development by ensuring that retail structures in excess of 125,000 square feet in gross floor area in any land use designation are approved by the City Council and a public vote in the next general election.

The Lodi General Plan is further amended by the addition of Policy 7 to Goal E, which shall read as follows:

The City shall support commercial use development to provide goods and services to Lodi residents and market area by ensuring that retail structures in excess of 125,000 square feet in gross floor area in any land use designation are approved by the City Council and a public vote in the next general election.

EXHIBIT A

*LARGE-SCALE RETAIL INITIATIVE
(Text of Proposed Ordinance)
Page 3 of 3*

The City of Lodi's General Plan is hereby amended to add the following implementing Policy, Policy 17, to read as follows:

The City shall prepare and implement the requirement for City Council and public voter approval of retail structures in excess of 125,000 square feet in gross floor area in any district established by Lodi's General Plan and Zoning Ordinance.



CITY OF LODI COUNCIL COMMUNICATION

TM

AGENDA TITLE: Approval of Special Allocation for Expenses Incurred by Outside Counsel/Consultants Relative to the Environmental Abatement Program Litigation (\$200,280.57)

MEETING DATE: July 21, 2004 City Council Meeting

PREPARED BY: Steve Schwabauer, City Attorney

RECOMMENDED ACTION: That the City Council approve a Special Allocation for expenses incurred by outside counsel/consultants relative to the Environmental Abatement Program litigation in the amount of \$200,280.57.

BACKGROUND INFORMATION: As you know, the law firms of Barger & Wolen and Kronick, Moskovitz, Tiedemann & Girard were hired to perform services in relation to the Environmental Abatement litigation. Listed below are invoices from those two firms along with other miscellaneous invoices that are currently outstanding and need to be approved for payment:

- | | | |
|----|--|---------------------|
| 1) | <u>Barger & Wolen</u>
Invoice #200282.25 for Professional Services for the
Period April 1-April 30, 2004 | \$ 98,836.20 |
| 2) | <u>Kronick, Moskovitz, Tiedemann & Girard</u>
Invoice #214003 for Litigation Support (Docket Clerk) for the
Period March 1-April 25, 2004 | \$ 4,428.00 |
| | Invoice #213990 for Professional Services for the
Period April 26-May 25, 2004 | \$ 65,586.93 |
| 3) | <u>JAMS</u> (Mediation Service) | \$ 29,815.52 |
| 4) | <u>PES Environmental</u> for Deposition Testimony of Keith O'Brien
in June 2003 | \$ 450.00 |
| 5) | <u>Superior Photocopy Service</u> (Copies of San Joaquin County
Records) | \$ 1,163.92 |
| | Total | \$200,280.57 |

Stephen Schwabauer
City Attorney

FUNDING: Water Fund 183453.7323
City Attorney 100351.7323

Approved:

Jim Krueger, Finance Director

APPROVED:

H. Dixon Flynn, City Manager



**CITY OF LODI
COUNCIL COMMUNICATION**

TM

AGENDA TITLE: Council discussion and appropriate action regarding a proposed Amended and Restated Contract for Legal Document Services (Docket Clerk) with Kronick, Moskovitz, Tiedemann & Girard to assist with the Environmental Abatement Program litigation and/or propose alternatives

MEETING DATE: July 21, 2004 City Council Meeting

PREPARED BY: Steve Schwabauer, City Attorney

RECOMMENDED ACTION: That the City Council review, discuss and take appropriate action regarding a proposed Amended and Restated Contract for Legal Document Services (Docket Clerk) with Kronick, Moskovitz, Tiedemann & Girard ("Kronick") to assist with the Environmental Abatement Program litigation and/or propose alternatives.

BACKGROUND INFORMATION: With the hiring of the law firm of Folger, Levin & Kahn to act as counsel handling the Environmental Abatement litigation, Kronick, Moskovitz, Tiedemann & Girard are in the transition mode of turning over cases to the new firm. As you will recall, the Kronick firm allowed us to utilize one of their Docket Clerks to manage the flow of legal documents because it is imperative that all documents be docketed and accounted for to be easily accessible. Kronick previously charged us a very reasonable rate of \$24.00 per hour plus travel expenses. Since Kronick is no longer acting as lead counsel in the environmental abatement litigation, and the original amount of \$5,000 dedicated for the expense of a Docket Clerk is expired, Kronick has prepared an Amended and Restated Contract at a rate of \$50.00 per hour.

In the past, the Envision Law Group kept track of files in their office electronically and manually and it was not necessary that the City's legal secretary log in each and every document. Now that the City Attorney's office will be monitoring all actions relating to this litigation, it is important that documents be easily accessible in the City Attorney's office. Staff therefore requests discussion and consideration of this amended contract, and any available alternatives. Although I do believe Kronick's proposed rate is fair and that the Docket Clerk they supplied is highly competent and professional, I cannot recommend approval of the revised contract at the proposed rate given current budget considerations. Instead, I recommend authorizing the City Attorney's office to recruit a part-time docket clerk with a maximum average workweek of 16 hours on a contract basis.

Stephen Schwabauer, City Attorney

FUNDING: Water Fund 183453.7323

Approved:

Jim Krueger, Finance Director

APPROVED: _____
H. Dixon Flynn, City Manager



CITY OF LODI COUNCIL COMMUNICATION

AGENDA TITLE: Discussion of Council Appointee Compensation and Benefits – City Clerk
(Government Code §54957)

MEETING DATE: July 21, 2004

PREPARED BY: City Clerk

RECOMMENDED ACTION: That the City Council consider compensation and benefits for Council Appointee, namely City Clerk.

BACKGROUND INFORMATION: The City Council has undertaken its evaluation of Council Appointees (City Manager and City Clerk) pursuant to the Council Appointees Evaluations Policy, as adopted by Resolution No. 2002-224 on November 6, 2002. The next step in this process is for the City Council Members to meet as a body to: 1) discuss the performance evaluation form summaries; 2) review wage and benefit comparisons; and 3) discuss appropriate action.

Any adjustment to compensation or benefits provided to Council Appointees should be acted upon by motion of the Council. Any motions made would be memorialized in resolution form for tracking purposes.

FUNDING: To be determined.

Susan J. Blackston
City Clerk

SJB/jmp

APPROVED: _____
H. Dixon Flynn, City Manager



CITY OF LODI COUNCIL COMMUNICATION

AGENDA TITLE: Adopt Resolution Approving Employment Contract with D. Stephen Schwabauer, City Attorney

MEETING DATE: July 21st, 2004

PREPARED BY: Kirk J. Evans, Risk Manager

RECOMMENDED ACTION: That City Council adopt the attached resolution approving the employment contract with D. Stephen Schwabauer, City Attorney.

BACKGROUND INFORMATION: The City Council has indicated its desire to appoint D. Stephen Schwabauer as the new City Attorney for the City of Lodi. Staff prepared a draft contract which has been further refined through negotiations between the City Council and Mr. Schwabauer. This final contract will be presented to City Council prior to their meeting, for adoption at the 7/21/04 meeting.

Funding Available: _____
James Krueger, Finance Director

Kirk J. Evans
Risk Manager

Attachment

cc: Interim City Attorney

APPROVED: _____
H. Dixon Flynn, City Manager

RESOLUTION NO. 2004-_____

A RESOLUTION OF THE LODI CITY COUNCIL
APPOINTING D. STEPHEN SCHWABAUER TO THE
POSITION OF CITY ATTORNEY, AND APPROVING THE
CONTRACT

=====

NOW, THEREFORE, BE IT RESOLVED, that the Lodi City Council hereby appoints D. Stephen Schwabauer to the position of City Attorney for the City of Lodi; and

BE IT FURTHER RESOLVED, that the City Council hereby approves the Contract effective July 21, 2004.

Dated: July 21, 2004

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I hereby certify that Resolution No. 2004-_____ was passed and adopted by the City Council of the City of Lodi in a regular meeting held July 21, 2004, by the following vote:

AYES: COUNCIL MEMBERS –

NOES: COUNCIL MEMBERS -

ABSENT: COUNCIL MEMBERS -

ABSTAIN: COUNCIL MEMBERS -

SUSAN J. BLACKSTON
City Clerk

2004-_____

Comments by the City Council Members on non-agenda items